

From: Karen Krog
Sent: Monday, October 15, 2012 9:24 PM
To: Heckman, Lee
Subject: Zoning request (Case #C14-2012-0109)

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Dear Mr. Heckman

I am writing regarding the requested property zoning change for 1201 Robert E. Lee (Case #C14-2012-0109). I am an owner of a property within 200 feet of the property in question and have lived at my current address for 22 years. I bought my house largely because of its location in a beautiful green spot in the neighborhood, which is home to a variety of plant and animal life. I always knew that it was possible that some of the area would develop further but was reassured by the SF-3 zoning of the surrounding properties that the development would not be dense and that the character of the area would be preserved. Now, I find that the owners of 1201 Robert E. Lee are seeking to change the zoning to SF6 and that the city is actually considering this. The plan for 22 condominiums on 3 acres that are now sparsely developed is totally unacceptable to me as a long-term homeowner.

I understand the plan for increased densification in the inner city and am in support of this along major corridors, although I am concerned that much of the increased development is being done without adequate consideration of transportation and infrastructure issues. Our neighborhood as a whole has had frequent water/sewer leaks in recent years that have increased in recent months. Additionally, while density is increasing, neighborhood access to bus service has been cut, first by eliminating route 29 and most recently by cutting the Zilker/Barton Hills portion of the bus 30 route.

Our neighborhood will feel much of the brunt of development along South Lamar and Barton Springs Road in the form of increased traffic. I have been willing to live with all of this because of the other advantages of living in the inner city. However, I am not willing to live with increased density along Robert E. Lee and essential destruction of the single family nature of our part of the neighborhood.

For those unfamiliar with the topography of this area, it should be noted that there is a forest behind my house, complete with a creek (which the city refers to as a "drainage area" although it appears to be spring-fed, runs year-round, even in extreme drought, and drains, after it branches at Robert E. Lee, into Barton Creek both above and below the pool). Drainage from the increased density permitted along the creek on land which fronts Melridge has resulted in radical erosion along this creek, including erosion of my property and the destruction of several large trees. More development in the watershed of this creek will exacerbate this erosion, threatening further loss of trees and land. It also threatens erosion of the ground beneath a major sewer line which runs along the creek bed. The proposed development will also decrease the privacy that makes my home special and will displace the wildlife that I and my neighbors value and support. It should be noted that a recent development on an adjacent property that was "up-zoned" has caused flooding three times in recent months in the nearby Zilker Skyline development.

I urge you to consider the single family nature of the properties adjacent to the property in question and to deny this request for further densification of this area. Keep the density along major traffic corridors and not along this narrow stretch of Robert E. Lee adjacent to Zilker Park.
Thank you for your careful consideration of this matter.

Karen Krog

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2007 Dexter
Austin, Texas 78704

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From: Karen Krog
Sent: Tuesday, October 16, 2012 1:10 PM
To: Heckman, Lee
Subject: Zoning change request (Case #C14-2012-0109)

Dear Mr. Heckman,

I am very concerned about the requested zoning change for 1201 Robert E. Lee (Case #C14-2012-0109). My single-family residential property, which was purchased on the assurance that it was securely surrounded by SF-3 zoning, is within 200 feet of the property in question. Now, the owners of 1201 Robert E. Lee are seeking to change the zoning on three SF-3 lots to SF-6 so that they can economically benefit by building and selling 22 condominiums on those lots. Because their benefit would be at the expense of their neighbors, the livability of the larger neighborhood, and important environmental resources, I very strongly oppose city approval of the requested change, and urge you to recommend against it.

The contemplated change would radically alter my ability to realize values and benefits of my property that my family and I might otherwise reasonably expect to continue to enjoy. The market value of my lot would very likely decline as its margins are transformed from the undeveloped yards and woodlands of adjacent single-family lots to the visible impervious cover of 22 condominiums, parking lots and driveways. The current "single-family" character of my property and neighborhood would be essentially destroyed. The direct access to quiet, dark, natural beauty, wildlife habitat, and privacy which we currently enjoy would markedly deteriorate and probably disappear altogether. Were this to be allowed, I would regard it as an uncompensated taking of very important and valuable rights of mine in the service of the pecuniary interests of the applicants.

It is certainly not the case that the development in question represents the kind of "smart" densification of central Austin which the city should support. Such densification is generally beneficial only if it is supported by necessary infrastructure and transportation development and maintenance, and only if it does not occur at the expense of livability and the environment. That is not the case for this zoning change and the development it would enable. This area has no marginal infrastructure capacity to support the development. Simple assurance of continuous water and sewage service in our area is increasingly problematic because of maintenance too long deferred. Robert E. Lee, the street on which traffic from this development would rely, is already overburdened. Travel on it is characterized by the very long wait-times, frequent traffic jams, and air pollution that densification unsupported by adequate transportation development has infamously engendered throughout the city. Any increment of increase would only exacerbate mobility and livability problems. The city has no plans to improve this situation. Indeed, public transportation directly serving this area has recently been eliminated by Capital Metro.

Like many of the surrounding lots, my property backs to a forest growing along a spring-fed creek (which the city refers to as a "drainage area" although it has been "live" for the entirety of the more than two decades that we have lived on its banks). The creek flows or drains, after it forks at Robert E. Lee, into Barton Creek both above and below Barton Springs pool. It thus traverses that part of the Barton Springs recharge zone most proximate to the springs. Already, the increased volume of run-off from the increased density permitted along the creek on land just north of Melridge has eroded creek-side properties,

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destroying tons of my property and several large trees in particular. More development in this watershed would exacerbate this erosion, threatening further loss of trees and land, and further deepening of the creek bed to a point, not very far distant now, where it can no longer serve as the foundation for a major sewer line that runs along it. Further, during heavy rains, water that is currently absorbed by unpaved land would be transformed by the contemplated development into polluted runoff that would flow directly into Barton Creek and the recharge zone for Barton Springs. Here, as with traffic, any margin for increased flows has long-since, and quite literally in this case, been eroded; such flows can only result in further destruction of property and the environment.

The proposed zoning change and the development it would allow serve only the narrow financial interests of the applicants. They would diminish or destroy market, use, livability, and environmental values for neighboring property owners, surrounding neighborhoods, and the city as a whole. I urge you to actively, and without qualification, oppose the change.

John Houghton
2007 Dexter
Austin, Texas 78704

From: John Sanders
Sent: Tuesday, October 16, 2012 2:52 PM
To: Heckman, Lee
Cc: [Removed]
Subject: Case No. C14-2012-0109 Project Location: 1201 Robert E. Lee Rd.

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Lee, as you are aware I am one of the owners of 1113 Robert E. Lee, the property directly to the north of the subject property. Upon receiving notice of the owner's application to change the zoning from SF3 to SF6 I contacted the developer and exchange several calls/e-mails with him concerning the planned development. After considering the proposed plans I determined that I could not support the proposed change. I and my co-owners joined in the petition seeking to have the rezoning denied. I received a copy of the e-mail from David M. Davis to you dated Oct. 10, 2012 as well as the letter dated October 9, 2012 attached to the e-mail. I share all of Mr. Davis's concerns and hereby adopt his arguments. I am concerned about the drainage issues the new zoning will cause and I believe that the increased traffic on Robert E. Lee will inevitably lead to serious injuries and possible fatalities caused by a collision(s) between some mixture of pedestrians/cyclists and motor vehicles. I would suggest that anyone who has any doubt about the already dangerous situation on Robert E. Lee has only to sit on the subject property during the morning and afternoon rush hours to see exactly what I am talking about.

On a personal note we purchased this lot for the purpose of building our retirement home. We relied on the fact that our lot and the subject lots were all zoned SF 3. We would not have purchased it if they had been zoned SF 6. The introduction of multiple homes along our extensive common property line will render our property useless for the purpose for which we purchased it. Given the lengths that the owner of the subject property has gone to to disguise the preliminary work on the rezoning from his neighbors it is clear that he recognizes that the proposed rezoning is an incredibly poor fit for the neighborhood.

Please make this e-mail part of the official file. If you have any questions about any of the forgoing please feel free to call me.

John J. Sanders, IV

John T. Sanders, IV
Scroggins & Williamson, P.C.
1500 Candler Building
127 Peachtree Street, NE
Atlanta, GA 30303
T: (404) 893-3880
F: (404) 893-3886
E: [Removed]

From: David Davis
Sent: Tuesday, October 23, 2012 11:46 AM
To: Heckman, Lee
Cc: Andy Elder; Salee Davis; Jeannie DeFrese
Subject: Case No. C14-2012-0109 / 1201 Robert E. Lee Rd. SF-6 zoning request

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Mr. Heckman: Attached are the signatures of the remaining Zilker Skyline Homeowner's who had not previously signed the petition created by Ms. DeFrese as individuals. Please add these individuals to those in opposition to the zoning change request. Besides the homeowner's association as an entity, now all of the 13 homeowners have also signed in opposition. Mr. Blankenship, Mr. Smithers and Mr. Meehan and Ms. Hudson own homes whose property lines are contiguous with the land for which re-zoning has been requested. Sincerely, David M. Davis

[See Exhibit P]

-----Original Message-----

From: David Davis

Sent: Tuesday, October 23, 2012 2:34 PM

To: Heckman, Lee

Subject: Case No. C14-2012-0109 / Sophie Blankenship's Water Quality Study / Robert E. Lee Rd. SF-6
Zoning request [Part 1]

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Mr. Heckman. [This email will be in multiple parts due to the size of the attachment photos]

I have attached a water quality study that was performed on the creek (incorrectly labeled a drainage ditch) that extends along the East boundary of the property at issue. It extends along the entire east side of Zilker Skyline and the east side of my property at 2133 Melridge Place. As noted in the documents previously provided, Zilker Skyline protected this creek as a part of our development and we continue to do so, respecting this tributary into Barton Creek and Lady Bird Johnson Lake. Sophie Blankenship is the daughter of Don Blankenship, Ph.D., who owns the home with his wife that is immediately West of my property and is contiguous to the subject property which surrounds the Blankenship property on two sides (Phase I to the South and Phase II to the East). He and his wife have signed the petition in opposition to the zoning request. Sophie prepared the study of the water as a poster presentation using recognized scientific / biologic principles. You will note that her study established both that the water is from a natural creek and that due to the quality of the water that it was clean and safe to play in (not at all a drainage ditch). The original is available for inspection. I would request on behalf of those opposed to this zoning change that the environmental review of the up-zoning application include this study and that it be provided to the appropriate person whom I understand from the file to be Mike McDougal. I also request that the study accompany any file forwarded to the planning / zoning commission and the City Council when appropriate.

Sincerely, David M. Davis,

2133 Melridge Place (Bldg. G, Unit 1, Zilker Skyline Homeowner) Austin, TX 78704

(h) 512-912-0803 / (o) 512-482-0614

-----Original Message-----

From: Salee Davis

Sent: Tuesday, October 23, 2012 1:57 PM

To: David Davis

Subject: Sophie Blankenship's Water Quality Study

-----Original Message-----

From: David Davis

Sent: Tuesday, October 23, 2012 3:44 PM

To: Heckman, Lee

Subject: Case No. C14-2012-0109 / Sophie Blankenship's Water Quality Study / Robert E. Lee Rd. SF-6
Zoning request Part 2

Mr. Heckman. [Part 2 of Email]

I have attached a water quality study

Exhibit C - 36

Sincerely, David M. Davis,
2133 Melridge Place (Bldg. G, Unit 1, Zilker Skyline Homeowner) Austin, TX 78704
(h) 512-912-0803 / (o) 512-482-0614

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-----Original Message-----

From: Salee Davis
Sent: Tuesday, October 23, 2012 1:57 PM
To: David Davis
Subject: Sophie Blankenship's Water Quality Study

-----Original Message-----

From: David Davis
Sent: Tuesday, October 23, 2012 3:45 PM
To: Heckman, Lee
Subject: Case No. C14-2012-0109 / Sophie Blankenship's Water Quality Study / Robert E. Lee Rd. SF-6
Zoning request - Part 3

Mr. Heckman.

I have attached a water quality study Part 3

Sincerely, David M. Davis,
2133 Melridge Place (Bldg. G, Unit 1, Zilker Skyline Homeowner) Austin, TX 78704
(h) 512-912-0803 / (o) 512-482-0614

-----Original Message-----

From: Salee Davis
Sent: Tuesday, October 23, 2012 1:57 PM
To: David Davis
Subject: Sophie Blankenship's Water Quality Study

-----Original Message-----

From: David Davis
Sent: Tuesday, October 23, 2012 4:17 PM
To: Heckman, Lee
Subject: RE: Case No. C14-2012-0109 / Sophie Blankenship's Water Quality Study / Robert E. Lee Rd. SF-6
Zoning request - Part 3

Thank you very much.

-----Original Message-----

From: Heckman, Lee [<mailto:Lee.Heckman@austintexas.gov>]
Sent: Tuesday, October 23, 2012 4:15 PM
To: David Davis

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Subject: RE: Case No. C14-2012-0109 / Sophie Blankenship's Water Quality Study / Robert E. Lee Rd. SF-6
Zoning request - Part 3

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Mr. Davis:

Thank you for forwarding this report. I have forwarded to Mike McDougal as requested and will include in the backup materials for the Planning Commission and City Council when the case is scheduled for their review and consideration.

Lee Heckman, AICP
City of Austin
Planning & Development Review Dept.
One Texas Center
505 Barton Springs Road, 5th Fl
Austin, Texas 78704

Tel: 512 – 974 – 7604
Fax: 512 – 974 – 6054
Email: lee.heckman@austintexas.gov

-----Original Message-----

From: David Davis
Sent: Tuesday, October 23, 2012 3:45 PM
To: Heckman, Lee
Subject: Case No. C14-2012-0109 / Sophie Blankenship's Water Quality Study / Robert E. Lee Rd. SF-6
Zoning request - Part 3

Mr. Heckman.

I have attached a water quality study Part 3

Sincerely, David M. Davis,
2133 Melridge Place (Bldg. G, Unit 1, Zilker Skyline Homeowner) Austin, TX 78704
(h) 512-912-0803 / (o) 512-482-0614

-----Original Message-----

From: Salee Davis
Sent: Tuesday, October 23, 2012 1:57 PM
To: David Davis
Subject: Sophie Blankenship's Water Quality Study

[See Exhibit D]

From: Robert Coe
Sent: Friday, October 26, 2012 12:50 PM
To: Heckman, Lee; [Removed]
Subject: Zoning Change Request C14-2012-0109
October 26, 2012

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City Council and Zilker Neighborhood Association
RE: Case# C14-2012-0109
Property Requesting Zoning Change – 1201 Robert E. Lee

The requested zoning change for this property is not appropriate.

I have lived in my home adjacent to the property in question for over 30 years. This is a predominately single family home neighborhood and one of the main reasons we moved here. While we are not opposed to development, we feel that this area should remain SF-3.

The proposed zoning change would add incompatible density to already crowded roadways and infrastructure, and would set a bad precedent for nearby properties that may go on the market in the future.

The request to change zoning to SF-6 would also adversely impact the character of the neighborhood, the green space and wildlife corridor that currently exists and add to light and noise pollution. I sincerely request that you deny this zoning change.

Robert Coe
1108 Bluebonnet Lane

C19
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From: Jenny Jones
Sent: Thursday, November 01, 2012 9:04 AM
To: Heckman, Lee
Cc: [Removed] Stephen Jones; Claire Secker
Subject: Objection to Zoning Change Requested by 1201 Robert E. Lee

As homeowners on Robert E Lee Road, we are opposed to the Zoning change requested for 1201 Robert E Lee Road.

As has been well stated by other neighborhood residents, we do not see upzoning this property to SF-6 as an appropriate use of the land. Increased density, loss of green space, increased runoff, and increased traffic are not acceptable to us as neighbors.

In addition, the recently-announced development of major apartment projects occurring east of our neighborhood, on Lamar, and north of our neighborhood, on Barton Springs, will be contributing additional traffic and density to the community as it is.

Other considerations include the fact that:

- the bulk of the surrounding area is SF-3 zoned
- the adjacent property that was upzoned to SF-6 changed at the last minute to accommodate road access. That development has only 13 houses on 5 acres; the proposed development at 1201 has 22 units on 3 acres!!!

In short, the proposed development sets an undesirable precedent for this signature Austin neighborhood, will create erosion and destroy a natural spring creek on the property, will destroy a wildlife corridor.

Please communicate our opposition to the proposed change.

Thanks,
Stephen and Jenny Jones

From: ben smithers

Sent: Sunday, November 04, 2012 11:52 AM

To: Heckman, Lee

Cc: Salee Davis; Gerald Smolinsky; Cheryl Speaker; Shannon Patton

Subject: Zoning Change case# c14-2012-0109

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Dear Mr. Heckman,

I am the owner of 2130 Melridge Place, one of 13 homes on 5 acres in Zilker Skyline adjacent to the proposed development of 22 homes on 3 acres if this zoning change is approved and I strongly object on these grounds. It is not compatible with SF-3 which is the bulk of the property surrounding it. The only reason why Zilker Skyline is SF-6 is because of rules regarding a road running through the center of it. The increased congestion will have a detrimental impact on the neighborhood and set a negative precedent for future development. Ben Smithers D.D.S.

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-----Original Message-----

From: David Davis

Sent: Tuesday, November 27, 2012 5:39 PM

To: Heckman, Lee

Cc: Don Blankenship; Salee Davis; Jeannie DeFrese

Subject: Case No. C14-2012-0109 / Robert E. Lee Rd. SF-6 Zoning request

Lee: In reviewing the creek water quality study photos I had previously sent you I noticed that I left two off; in particular one of the chronology of data compilation which is important. I have attached these photos for your file and sharing as you believe appropriate. I hope you had a good Thanksgiving. David

[See Exhibit D]

From: t th
Sent: Wednesday, January 30, 2013 2:13 PM
To: Heckman, Lee
Subject: #C14-2012-0109

PA
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Dear Mr. Heckman,

We write urging you to deny a request for zoning change, #C14-2012-0109, at 1201 Robert E Lee Rd. We are property owners at 2201 Trailside Dr and believe the increase in density, light and noise pollution would negatively impact our property value and quality of life in the neighborhood. Auto traffic on Robt. E Lee is already too heavy for this residential area. Additionally, the increased impervious cover could cause polluted runoff into the pristine waters of Barton Creek and Barton Springs.

Thank you for your careful consideration,
Jay and Tracy Thomas

PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:

www.austintexas.gov

R 2/22/13

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-2012-0109

Contact: Lee Heckman, 512-974-7604

Public Hearing: Feb 26, 2013, Planning Commission

Apr 11, 2013, City Council

JOHN HOUGHTON

Your Name (please print)

2007 DEXTER

Your address(es) affected by this application

447-2238 OR 448-8721

Signature

Date

21 FEB, 2013

Daytime Telephone: 447-2238 OR 448-8721

Comments: UP GRADING THESE TRACTS WOULD NOT BE

COMPATIBLE WITH SURROUNDING SF3 USES OR

SUPPLEMENTARY BY THE IMMEDIATE ENVIRONMENT. UPZONING

TO SF6 ON TWO TRACTS S.O.F THERE LOIS HAS ALREADY

CREATED RUN-OFF PROBLEMS ALONG THE CREEK RUNNING

THROUGH THE AREA (SECTION 28.01 OF ADJACENT PERMIT EST

EXPOSING IF THE EASTERN SF-6 TRACT BY FLOWS FROM THE

WESTERN ONE. HEAVY FOOT CREEK CAN TRAFFIC ON

ROBERT E. LIFE WOULD BECOME MORE DANGEROUS + DETERMINANT

THAN IT ALREADY IS. HEAVY RAINS WOULD

If you use this form to comment, it may be returned to: SEND COMMENTS

City of Austin

Planning & Development Review Department

Lee Heckman

P. O. Box 1088

Austin, TX 78767-8810

6/2/13

POLLUTED STREET
CREEK + UNDERGROUND
FLOWS DIRECTLY INTO
THE ALREADY
DANGER DANGER
DANGER DANGER
DANGER DANGER

PUBLIC HEARING INFORMATION

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R 2/22/13

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Case Number: C14-2012-0109

Contact: Lee Heckman, 512-974-7604

Public Hearing: Feb 26, 2013, Planning Commission

Apr 11, 2013, City Council

Katherine Haight

Your Name (please print)

2124 MELROSE PLACE

Your address(es) affected by this application

Katherine W. Haight

Signature

21-FEB

Date

Daytime Telephone: (512) 705-9276

Comments: Insufficient parking and traffic issues are not addressed

If you use this form to comment, it may be returned to:

City of Austin

Planning & Development Review Department

Lee Heckman

P. O. Box 1088

Austin, TX 78767-8810

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PUBLIC HEARING INFORMATION

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www.austintexas.gov

R2/22/13

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Case Number: C14-2012-0109

Contact: Lee Heckman, 512-974-7604

Public Hearing: Feb 26, 2013, Planning Commission

Apr 11, 2013, City Council

Saren Krog
Your Name (please print)

2007 Dexter 78704
Your address(es) affected by this application

Saren Krog
Signature

2-20-13
Date

Daytime Telephone: 512-447-2238 or 512-940-6510

Comments: This property is abutted by numerous single family homes, many of which are more than 50 years old. A previous decision to upzone an adjacent property has caused erosion in the creek running through the area and has caused flooding in some homes. There are also issues with run off crossing RE Lee and entering the Barton Creek watershed. Additionally, RE Lee If you use this form to comment, it may be returned to: is a narrow street, both by cars & pedestrians (bikes). Increased density will only make it more difficult to manage.

City of Austin

Planning & Development Review Department

Lee Heckman

P. O. Box 1088

Austin, TX 78767-8810

PUBLIC HEARING INFORMATION

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www.austintexas.gov

C19
6/7

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Case Number: C14-2012-0109

Contact: Lee Heckman, 512-974-7604

Public Hearing: Feb 26, 2013, Planning Commission

Apr 11, 2013, City Council

Michael Haight

Your Name (please print)

2100 Melrose Place Unit B

Your address(es) affected by this application

Michael Haight

Signature

2/21/13

Date

Daytime Telephone: 512 965 8958

Comments: Object based on environmental impact concerns

If you use this form to comment, it may be returned to:

City of Austin

Planning & Development Review Department

Lee Heckman

P. O. Box 1088

Austin, TX 78767-8810

PUBLIC HEARING INFORMATION

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For additional information on the City of Austin's land development process, visit our website:

www.austintexas.gov

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-2012-0109

Contact: Lee Heckman, 512-974-7604

Public Hearing: Feb 26, 2013, Planning Commission

Apr 11, 2013, City Council

David Hoffman
Your Name (please print)

1101 Hollow Creek Dr

Your address(es) affected by this application #2208

78704

2-20-2013
Date

[Signature]
Signature

Daytime Telephone: 512-354-6550

Comments:

If you use this form to comment, it may be returned to:

City of Austin

Planning & Development Review Department

Lee Heckman

P. O. Box 1088

Austin, TX 78767-8810

C19
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PUBLIC HEARING INFORMATION

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R 2/25/13

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www.austintexas.gov

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Case Number: C14-2012-0109

Contact: Lee Heckman, 512-974-7604

Public Hearing: Feb 26, 2013, Planning Commission

Apr 11, 2013, City Council

John Thomas Sanders IV

Your Name (please print)

1113 Robert E. Lee

Your address(es) affected by this application

John F. Sanders IV

Signature

2/21/13

Date

Daytime Telephone: 404-893-3880

Comments: I feel that the change in density will negatively affect the surrounding area. I feel that with the change in density, it will bring more traffic and noise to the area. I feel that the change in density will also bring more commercial uses to the area, which will be a negative impact on the residential area. I feel that the change in density will also bring more commercial uses to the area, which will be a negative impact on the residential area.

If you use this form to comment, it may be returned to:

City of Austin

Planning & Development Review Department

Lee Heckman

P. O. Box 1088

Austin, TX 78767-8810

C19
69

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R 2/20/2013

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Case Number: C14-2012-0109

Contact: Lee Heckman, 512-974-7604

Public Hearing: Feb 26, 2013, Planning Commission

Apr 11, 2013, City Council

TRACY WISE THOMAS
Your Name (please print)

2201 TRAILSIDE DR, AUSTIN, 78704

Your address(es) affected by this application

2.16.13

Date

Signature

Daytime Telephone: 512-517-4669

Comments:

I strongly urge you to deny this application for zoning change. The impact of the increased density in this area would be negative for the environment, traffic flow and the scale of this residential area. SF3 is in keeping with the greater neighborhood.
Thank you!

If you use this form to comment, it may be returned to:

City of Austin
Planning & Development Review Department
Lee Heckman
P. O. Box 1088
Austin, TX 78767-8810

C19
20

PUBLIC HEARING INFORMATION

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R 2/20/2013

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Case Number: C14-2012-0109

Contact: Lee Heckman, 512-974-7604

Public Hearing: Feb 26, 2013, Planning Commission

Apr 11, 2013, City Council

SARAH REYNOLDS

Your Name (please print)

1118 Bluebonnet Ln.

Your address(es) affected by this application

Sarah Reynolds

Signature

2-18-13

Date

Daytime Telephone: 445-0233 - 675-3387

Comments:

I object because of the damage to eco-system of the Barton Creek + Spout - run off, wildlife, as well as parking + neighborhood congestion. I bought this home because of its zoning + don't want to see it drastically change.

If you use this form to comment, it may be returned to:

City of Austin

Planning & Development Review Department

Lee Heckman

P. O. Box 1088

Austin, TX 78767-8810

C19
71

PUBLIC HEARING INFORMATION

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www.austintexas.gov R 2/20/2013

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Case Number: C14-2012-0109

Contact: Lee Heckman, 512-974-7604

Public Hearing: Feb 26, 2013, Planning Commission

Apr 11, 2013, City Council

Sally Reynolds

Your Name (please print)

1113 Bluebonnet Ln

Your address(es) affected by this application

Sally Reynolds

Signature

Date

Daytime Telephone: 445-0233 695-0848

2-18-13

Comments:

I object because of potential damage to Barton Creek Eco-Springs increased pollution runoff. It is an unfair change in the zoning - especially for those of us whose land's back up to this project.

If you use this form to comment, it may be returned to:

City of Austin
Planning & Development Review Department

Lee Heckman

P. O. Box 1088

Austin, TX 78767-8810

C19
R

From: Riley Triggs
Sent: Monday, February 25, 2013 9:52 PM
To: Heckman, Lee
Subject: 1201 Robert E Lee Rd: No!

C19
/13

Lee,

I am strongly against the rezoning of 1201 Robert E Lee Rd Case Number C14-2012-0109. I fear this will be the floodgate to completely change the character of the neighborhood. Please see attached reply form in opposition to the proposed zoning change. Please do not change the character of this historically important neighborhood for the sake of an individual's profit motivation.

I understand from experience that my voice will not matter, but please take this as the strongest opposition possible to this action.

Thank you,

Riley Triggs
1005 Robert E Lee Rd
Austin, Texas 78704
512.636.3521

Riley Triggs || architect
University of Texas Design
Smart Building Initiative

PUBLIC HEARING INFORMATION

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Case Number: C14-2012-0109

Contact: Lee Heckman, 512-974-7604

Public Hearing: Feb 26, 2013, Planning Commission

Apr 11, 2013, City Council

RILEY TRIGGS

Your Name (please print)

1005 ROBERT E LEE RD

Your address(es) affected by this application

Riley Triggs

Signature

25 FEB 2013

Date

Daytime Telephone: 512-636-3521

Comments: Incompatible zoning change!

This downtown zoning is changing the character of the neighborhood and putting undo burden on existing home owners. Very upset about this!

If you use this form to comment, it may be returned to:

City of Austin

Planning & Development Review Department

Lee Heckman

P. O. Box 1088

Austin, TX 78767-8810

C19
74

Mr. Heckman,

I am forwarding my previous disapproval of this rezoning from the last notification to refresh your files.

Thank you,

Riley Triggs

Riley Triggs || architect

University of Texas Design

Smart Building Initiative

C19
15

----- Forwarded message -----

From: Riley Triggs

Date: Tue, Oct 9, 2012 at 8:04 PM

Subject: C14-2012-0109

To: lee.heckman@austintexas.gov

Lee,

Please register my disapproval of the zoning change for 1201 Robert E Lee Rd.

The intended rezoning is incompatible with the rest of the neighborhood and is threatening the character of the neighborhood by increasing the density to unusual and uncomfortable levels. This will also further encourage the encroachment of larger scale development in the surrounding lots which is already evident through the rezoning of previous areas that are making this encroachment possible.

There are no obvious benefits to the City nor to the neighborhood, and only a single person, the developer, is set to gain from the change in the rules. Personal gain is certainly not a good reason to cause increased pressures in a neighborhood that is already suffering from bad decisions of the recent past, the inordinate inconveniences of regular events such as ACL, Trail of Lights, and Blues on the Green. The neighborhood continues to be denigrated by such actions of the City, and it is time to cease and desist economic exploitation at the expense of the character and livability of established communities. This decision should not be about economics of the few - it should be about preserving the character of an established, historically significant neighborhood of single family homes.

Please take this as the strongest possible disapproval of this latest rezoning encroachment on the fabric of an embattled neighborhood. I am going to be here a long time, and I do not wish to be further made uncomfortable and pressured out of the neighborhood I grew up in, helped build and serve.

Regards,

Riley Triggs

1005 Robert E Lee Rd

Austin, TX 78704

[512.636.3521](tel:512.636.3521)

Riley Triggs || architect

University of Texas

Smart Building Initiative

From: Julie Hudnall
Sent: Tuesday, March 05, 2013 3:11 PM
To: Heckman, Lee
Subject: Opposition to up zoning of the new Sunflower Development

C19
76

Hello Lee,

I live at 2129 Melridge Place in the Zilker Skyline subdivision. Our house is on the side of the creek. I'm opposed to the up zoning of the Sunflower development and have listed the key reasons for you.

1. The zoning recommendation ignores the significant impact to the Barton Springs watershed and the requirements that were imposed on Zilker Skyline Neighborhood for drainage and set back from the creek. The Zilker Terrace Condominium Project caused and is likely to continue to cause flooding of Zilker Skyline and degradation of the creek that abuts the Sunflower Project downstream from Zilker Skyline through storm water runoff. Density of Zilker Skyline (@ 3.33 units per acre) and not the significantly higher density of Zilker Skyline (8.75 units per acre or a "mid-point" between the two as referenced by the staff), should be the appropriate density reference. Zilker Skyline abuts the creek as does Sunflower such that significant drainage into the creek will be increased by the Sunflower project. Further, approving denser development on R.E.L. such that all drainage (whether to R.E.L. or to the creek) flows to the park will result in degradation of the South and Southeast areas of Zilker Park at Barton Springs to include the future subsurface habitat designation for the Barton Springs Blind Salamander. This is clearly inconsistent with the drainage requirements imposed on the contiguous Zilker Skyline and inconsistent with public pronouncements by the City of Austin regarding protection of water quality.
2. The Zilker Skyline was platted and developed consistent with the neighboring properties that abut the creek. The staff references the "precedent" of the Zilker Terrace neighborhood; but, ignores the "precedent" of the many single family homes on the East side of the Creek and North of Sunflower which are single family, one story homes. It is apparent that the staff did not take the opportunity to actually view the subject neighborhood; but, accepted the representations of the developer.
3. There will be significant impact on traffic and congestion on Robert E. Lee. R.E.L has no parking. It is a dangerous and congested two lane neighborhood road that is a key entrance to both the Barton Hills and Zilker neighborhoods as well as the "back door entrance" to Barton Springs Pool and Zilker Park. The potential street entrances to the proposed project are on a side of the road that does not have sidewalks or a defined bicycle lane, making access dangerous. As the "downhill" / North direction of R.E.L. is a shared bicycle and vehicle lane, it will pose particularly dangerous conditions to bicyclists. The location will be too dangerous for children to ingress or egress for foot or bicycle transportation to school.
4. There is no bus service on R.E.L. between the park and Melridge.
5. Heritage trees will not be protected as the lot has significant variation of topography. To construct 19 homes will require a significant leveling of much of the lot, removal of heritage trees and invasion of the root zones of the remaining trees. Plats provided by the Developer

Exhibit C - 56

evidence this intent to remove heritage trees. References to a "flat lot" ignore what is apparent from the topographical map; i.e., there are significant slopes on three sides of the property.

C19
77

6. It is my understanding that the Zilker Neighborhood Association and over 65% of affected property owners oppose this development. The Zilker neighborhood has been impacted by a significant increase in multi-family homes such that our community infrastructure and our natural resources have and will be unfairly impacted. This negative impact includes the overuse of our roads, the loss of our night time skies, continual interruption of our peace and quiet at night and even loss of our access to our homes; all of which have will be further seriously eroded by the new development. In conjunction with the ever increasing over utilization of Zilker Park, the increase in population even now impacts our use of cellular phone and internet service. I am not aware of any other area in Austin that has been chosen for such intense development without apparent regard for the existing neighborhood.

Respectfully,

Julie Hudnall

JH Group
[512.589.7622](tel:512.589.7622)
[2129 Melridge Place](https://www.google.com/maps/place/2129+Melridge+Place,+Austin,+TX+78704/@30.2875,-97.755,15z)
[Austin, TX 78704](https://www.google.com/maps/place/2129+Melridge+Place,+Austin,+TX+78704/@30.2875,-97.755,15z)

Please excuse typos, sent from my iPad

JH Group
[512.589.7622](tel:512.589.7622)
[2129 Melridge Place](https://www.google.com/maps/place/2129+Melridge+Place,+Austin,+TX+78704/@30.2875,-97.755,15z)
[Austin, TX 78704](https://www.google.com/maps/place/2129+Melridge+Place,+Austin,+TX+78704/@30.2875,-97.755,15z)

Please excuse typos, sent from my iPad

From: Yang, Edward (Research)
Sent: Wednesday, March 06, 2013 11:34 AM
To: Heckman, Lee
Cc: 'EHY'
Subject: C814-2012-0160, Public Hearing March 12, 2013 Planning Commission; March 28, 2013 City Council

C19
78

Dear Mr. Heckman,

Michael Simmons-Smith has already registered me as an Interested Party for this case.

Please submit this as my written objection to the zoning change for the above case number, project location 211 S. Lamar Blvd & 1211 W. Riverside Dr. I believe that the change would negatively impact the character and quality of the neighborhood, as well as contribute to the already choked off congested traffic, parking, and related safety issues in what is meant to be a park-like green environment next to Lady Bird trail.

I am also very concerned about the recent report in the Austin Statesman that the developers will be granted an exception to build taller than the normal 60-foot limit. The developer's paltry gesture for a \$420,000 contribution to the city's affordable housing fund is grossly insufficient when this is the typical cost of just a single condo unit in the neighborhood. I am a business man and not opposed to responsible development, but it is distasteful and injurious to our community when developers can circumvent our rules and laws with a middling payoff. Thank you,

Sincerely,

Edward H. Yang (please accept this as my e-signature)

Oppenheimer
Managing Director
Chemicals Equity Research
512-314-2619

Address affected by this application:
210 Lee Barton Dr. Unit 215
Austin, TX 78704

This communication and any attached files may contain information that is confidential or privileged. If this communication has been received in error, please delete or destroy it immediately. Please go to www.opco.com/EmailDisclosures

From: Donald Blankenship [mailto:ddbblankenship@gmail.com]
Sent: Monday, March 18, 2013 11:00 AM
To: Heckman, Lee
Cc: Hauwert, Nico
Subject: Re: case C14-2012-0109 comments on the environmental context for the "sunflower" development on Robert E. Lee Rd. (3 of 3)

C19
79

Hello Lee,

I have attached my comments for the upcoming hearing on March 26th as a presentation on the "Environmental Context for the proposed Sunflower Development at 1201 Robert E. Lee Road." (case # C14-2012-0109). My name is Donald Blankenship and I am a Senior Research Scientist at UT-Austin with a Ph.D. in Geophysics and a focus on geology and hydrology beneath the Antarctic ice sheet. I have been asked by my neighbors to take a clean look at the geological and hydrological context of the site and any ramifications from the proposed rezoning/development.

As background, I live next to the proposed development and have been at this location for sixteen years. My daughter Sofie Blankenship is sixteen and a student at Austin's Liberal Arts and Sciences Academy; she has grown up in this house, so the creek adjacent to the proposed development has long been a focus for of interest for her. In particular, Sofie studied the site weekly for nine months in 2006 showing that the creek is quite healthy and sustained its flow throughout the year (and likely hosts a significant system of springs and seeps). Because of her interest, there is a case to be made that our family probably has more long term data on the environmental status of the creek than anyone.

I obviously object to the rezoning of the property for the reasons laid out in my presentation. The main talk is 19Mbytes because of a suite of photos of the site and its environs but I would like to have it included in the draft report for the upcoming hearing on rezoning so please let me know if you are having any email/pdf problems. The second email is the summary slides for that talk and are much smaller in size just to be sure that something gets through the system. I will be present at the hearing and plan to speak. I have also cc'd my presentation to Nico Hauwert the COA hydrogeologist who was kind enough to answer my many background questions.

All the Best,
Don B.

Donald D. Blankenship
2132 Melridge Place
Austin TX, 78704
[512-707-7323](tel:512-707-7323) (home)
[512-809-3755](tel:512-809-3755) (cell)

[See Exhibit E]

From: Tom Miesner
Sent: Monday, March 18, 2013 10:33 PM
To: Heckman, Lee
Cc: Tom Miesner; Kathryn Miesner
Subject: Rezoning Petition for 1201 Robert E. Lee

C19
80

Mr. Heckman

The letter is about the zoning change request for 1201 Robert E. Lee. We have the good fortune of living at 1303 Robert E Lee – the development built by PSW that had been zoned SF 3 and was rezoned to a SF 6 to accommodate the development built there. We closed on this home May, 2013. This property is adjacent to the southern border of 1201 Robert E Lee so development on 1201 Robert E. Lee will affect us directly. This letter is not to support or oppose the zoning change. The letter, instead, discusses the increased density in the Zilker Neighborhood in general, the heavy traffic on Robert E. Lee, and the critical nature of the creek which roughly borders the east side of the property in question.

The development of 1303 Robert E. Lee has significantly changed the look of the neighborhood. As stated, we are thrilled to have the opportunity to purchase a new home in this most desirable area of Austin. But, increased population density must be wisely managed in terms of preserving green space and adding the infrastructure required to accommodate the increased population. When we bought our home, we were told informally the adjacent property at 1201 Robert E. Lee was intended to be deeded to the city of Austin to be held as undeveloped property. This thought made us feel comfortable that sufficient green space was being provided to counterbalance the increased density brought about by the development at 1303 Robert E. Lee. From a practical standpoint, we understand that the current zoning of 1201 Robert E. Lee could allow essentially the same density as changing to SF 6. Whichever zoning is used for development, there will be significant impact to Robert E. Lee and surrounding neighborhoods.

Currently Robert E Lee is a busy road. Many mornings, the traffic line to enter Barton Springs Road from Robert e. Lee is extensive. We were told that PSW worked with the city and the neighborhood to relocate the sidewalk – this is a wonderful safety feature. But, traffic is heavy along that curvy road. The proposed exit area of 1201 does not appear to be one of clear visibility, setting up an unsafe entrance to Robert E Lee OR requiring an additional stop sign on the descent / ascent of a steep hill. If development continues, at some point Robert E. Lee will have to be made four lane which will be difficult, costly, and have a significant effect on the neighborhoods bordering it.

In addition to our concern regarding traffic congestion and infrastructure, we are concerned with the impact on the creek which roughly borders the eastern portion of the property. We have hiked along this creek which we understand is informally named "Little Zilker Creek" and we have personally seen the spring pool and the water running down the creek from the spring. It is our understanding that this spring (and possibly other springs) goes subsurface before the Robert E. Lee surface diversion. We have personally seen this spring and feel there is a high likelihood the flow goes subsurface near the Barton Springs Pool. It is our understanding that recent research regarding this portion of Little Zilker Creek confirms it is a "critical environmental feature" and we believe steps must be taken to treat Little Zilker Creek accordingly.

Since living in the home, we have noted deer grazing in the tree filled adjacent property. Obviously home to many animals.

09/81

Inevitably, this property will be developed somehow. But, preserving green space and protecting Little Zilker Creek with an appropriate set back seems to be a great compromise. Wouldn't it be wonderful to work with the Joseph family and the developer to honor the Joseph's long time presence in South Austin and their stated desire not to develop their portion of the property by providing an appropriate amount of setback from Little Zilker Creek. Exactly how this setback would be used would have to be determined but it could have great natural benefit. We understand the economic forces that drove both of the sales but wouldn't it be great to retain some green space while utilizing only the less sensitive portion of the land for development.

Thanks for considering how to keep Austin a beautiful, friendly, and fun city.

Tom and Kathryn Miesner
1303 Robert E. Lee, Unit 8
Austin, Texas 78704

From: Zilker NA
Sent: Wednesday, March 20, 2013 4:27 PM
To: Heckman, Lee
Cc: Zilker Executive Committee
Subject: 1201 Robert E. Lee rezoning C14-2012-0109

C19
82

Hello, Lee.

Please find attached four files presenting the Zilker Neighborhood Association's position regarding the rezoning case C14-2012-0109 at 1201 Robert E. Lee. We request that they be included in the city's files on this case, and in the materials for review by the Planning Commission and City Council. The files include a cover letter addressed to the Planning Commission summarizing ZNA's opposition to the requested rezoning, a statement of ZNA's position with a list of 10 conditions for upzoning, a copy of a letter from Public Works Director Lazarus, and a topo map.

Thanks for your help.

L. Atherton
for the ZNA zoning committee

Zilker Neighborhood Association

www.zilkerneighborhood.org ♦ zilkerna@austin.rr.com
1115 Kinney Ave. #42 ♦ Austin, TX 78704 ♦ 512-447-7681

March 20, 2013

Planning Commission
City of Austin

Dear Commissioners,

At the February 25, 2013, meeting of the Zilker Neighborhood Association, the general membership voted to support the neighbors who have signed a valid petition opposing the rezoning of 1201 Robert E. Lee Road. The membership directed the executive committee of ZNA to help the neighbors negotiate a more appropriate plan for the property in question than that proposed by Mr. Radke. The attachments to this letter describe the many constraints on this property and outline the conditions under which a rezoning to SF5 or SF6 might be appropriate.

In general, ZNA objects to the project proposed by Mr. Radke because:

- The steep terrain and the presence of potentially critical environmental features (spring-fed Little Zilker Creek) limit the buildable space to about 25,000 square feet, with an impervious cover limit of around 15%.
- Robert E. Lee Road is inadequate to handle any additional driveways or additional residential traffic on the hill between Melridge and Barton Hills Drive.
- Additional zoning density is not necessary or desirable within the SF3 areas of the Zilker and Barton Hills neighborhoods, even in areas that are not environmentally sensitive. Under the circumstances, any increase above the existing entitlement of 6 housing units would serve only to destroy a valuable site and leave the new residents stranded in inaccessible and dangerous houses.

These points are discussed in greater detail in the attachments.

Sincerely yours,

Lorraine Atherton
on behalf of the
ZNA Executive Committee

ZNA Officers, 2012-2013

Gardner Sumner, *President* ♦ Richard Gravois, *Vice President* ♦ Andy Elder, *Vice President*
Jacob Scheick, *Secretary* ♦ Merriman Smith, *Treasurer*
Tony Giustino, *ANC Delegate* ♦ Lorraine Atherton, *Newsletter Editor*

C19
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Rezoning C14-2012-0109
1201 Robert E. Lee Road
Zilker Neighborhood Association Position

C19
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Density

Increased zoning entitlements are not necessary anywhere within ZNA to promote infill or growth. Over the last 10 years, Zilker and the other South Central neighborhoods have encouraged efforts to redevelop corridors like South Lamar with higher density residential projects while protecting existing family-oriented housing within the neighborhood. As a result, in the last three years we have added thousands of housing units, mostly multifamily on S. Lamar and Barton Springs Road. There are also several new duplex and townhouse-style complexes on SF3 flaglots or parcels rezoned for SF5 or 6, creating a mix of housing options throughout the neighborhood. If all this new housing is occupied within the next few years, our population will increase by more than 50%, well beyond the capacity of the existing infrastructure and far in advance of planning for infrastructure improvements. The upzoning of fragile creekside and parkside sites such as 1201 Robert E. Lee is certainly not warranted to permit further growth.

Infrastructure: Roads and Drainage

Traffic: City staff determined long ago that sight distances are inadequate on Robert E. Lee and that a stop sign is warranted at the bottom of the hill. Traffic calming was designed to address the problem in 1999, and the plan was approved by a vote of the residents and property owners (65% +), but the RELee part of the plan was never installed. These issues must be addressed before housing density can be added on the RELee hill.

The addition of 10 or more housing units at either driveway on this hill would create extremely unsafe conditions. Access must be limited to one driveway north of the drive for the existing house, preferably at the north edge of the property. The city would have to install stop signs, prohibit left turns, and take action to reduce speeds on the hill. ZNA believes that any developer who stands to profit by dumping excessive car traffic onto neighborhood streets should be required to pay the entire cost of any mitigation, on top of the cost of installing sidewalks and curb and gutter on the development's street frontage.

It must be made clear that properties on RELee are not eligible for sidewalk waivers. As Howard Lazarus, director of Public Works, put it, "Zilker Park and Barton Springs Pool are regional and local amenities and therefore safe and efficient access for all modes of transportation is important." That was written at the conclusion of three years of attempts by developers to avoid construction of sidewalks at 1303 RELee. According to George Zapalac in June 2009, "Staff has determined that the fee in lieu is not appropriate in this case (1303 RELee, now called Zilker Terrace) because construction of the sidewalk is feasible. It does not meet the criteria in 25-6-354 (C) which would give the applicant the right to pay the fee, and it does not meet the criteria in 25-6-354 (D) which would give the applicant the option to pay the fee. The request for the fee in lieu has been denied." (The sidewalk requirement applies whether the property is resubdivided under SF3 or rezoned.)

In 2011 a subsequent owner at 1303 RELee offered to build an oversized sidewalk on the west side of RELee, resulting in the attached agreement with Public Works, committing the city to complete the sidewalk on the east side of RELee within a year of sidewalk construction on properties north of 1303 RELee. The current case includes most of those properties. Residents of those properties,

obviously, cannot use the sidewalk across the street, and if any more housing is permitted there, a sidewalk must be provided at least to the bottom of the hill with a crosswalk across RELee. Developers of these properties must agree not to request a sidewalk waiver.

By the way, Capital Metro no longer provides bus service on RELee. Residents on the RELee hill have no access to transit services and will be dependent on cars (or bicycles for the very brave) for transportation.

C19
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Storm Water and Environmental Protection: This property drains into the ditch along the south entrance to Barton Springs Pool. Whether the runoff pours directly into RELee on the west or into Little Zilker Creek on the east, it all ends up at the bottom of the hill on the south side of Barton Creek in the Water Quality Transition Zone, on the same side of the pool as the springs. Developers in this area will swear that it's in the "Town Lake" zone and not in any Barton Springs zone, but they are simply trying to deny the obvious, which is that Robert E. Lee, Little Zilker Creek, Barton Springs, and Barton Creek all drain into Town Lake through the same part of Zilker Park.

Any development on RELee must meet the highest water quality standards and be designed to reduce its effect on the city's water quality protections in the park. That includes the effect of erosion of the banks of the small creek known as Little Zilker Creek, which runs between RELee and Bluebonnet. No additional impervious cover should be permitted on either side of this creek before it is evaluated as a critical environmental feature. (See Dr. Don Blankenship's presentation on Little Zilker Creek and its springs.) The area that drains toward the street should be protected by detention/retention features similar to those at 2603 Rae Dell.

The terrain at 1201 RELee is very steep, with very little buildable space and difficult access for utility and emergency vehicles. It would be irresponsible to permit more than a handful of families to build and inhabit dwellings in harm's way from flooding, wildfire, and other weather disasters. The steepest parts of these lots must be protected, with their trees and native vegetation intact, to prevent any further degradation of this sensitive landscape. Based on a topographic map provided by the developer, ZNA recommends a setback of at least 150 feet from Little Zilker Creek and that no construction be permitted on the most southern of the three lots.

Impervious Cover

The existing impervious cover on the three lots combined is about 13,800 square feet, or 10%. Based on the terrain and water quality and environmental issues noted above, ZNA recommends an impervious cover limit of 15% (probably about 22,000 square feet total, depending on whether the driveways are included in the calculation). This would probably allow an additional 10,000 square feet of impervious cover.

ZNA Proposal for Rezoning

The ZNA executive committee would support a rezoning to SF5 or SF6 under the following conditions:

1. Density would be limited to 6 housing units for the entire property (all 3 lots), with 15% impervious cover, including the driveway.
2. No development would be permitted on the southern lot (Area A on topo map, just under 39,000 square feet), immediately downhill from Zilker Terrace. The lot would serve as a buffer between the excessive impervious cover of Zilker Terrace and the water quality features maintained by the Zilker Skyline homeowners.
3. No development would be permitted on the banks of Little Zilker Creek, within 150 feet of the most eastern boundary of the north lot (Area B on topo map).
4. Development on the north lot would be limited to 4 housing units, confined to an area of about 100 feet x 100 feet south of the 110-foot contour line and west of the existing greenhouse (Area C on topo map).
5. The northwest corner of the lot (Area D on topo map, below the building area) would be reserved for detention/retention features similar to those at 2603 Rae Dell and for protection of the existing trees and native vegetation.
6. Access to the 4 units on the north lot would be limited to the existing driveway at the northernmost corner of the lot.
7. The center lot would retain its current entitlement to 2 housing units, but impervious cover would be limited to the existing footprint. If the owner decides to redevelop the existing house as a duplex or two separate units, the current south driveway would be closed and access would be limited to the north driveway.
8. No waivers or fee in lieu for stormwater retention/detention.
9. No waivers or fee in lieu for sidewalks.
10. All trees and native vegetation within Area A, B, and D would be preserved. Outside those areas, all listed trees (8" or larger) would be preserved.

C19
86



City of Austin
PUBLIC WORKS DEPARTMENT

C19
87

PSW - site plan approach - Jerry

9/15 - blatin only date

May 20, 2011

Andy Elder, President
Zilker Neighborhood Association
2009 Arpdale
Austin, TX 78704

Craig Smith, President
Barton Hills Neighborhood Association
PO Box 2042
Austin, TX 78768

Re: Robert E. Lee Multi-Use Trail*

Dear Mr. Elder and Mr. Smith,

Thank you both and your respective organizations for your time and attention to the Robert E. Lee Rd Multi-Use Trail Project. Zilker Park and Barton Springs Pool are regional and local amenities and therefore safe and efficient access for all modes of transportation is important. Currently, there are no sidewalks on Robert E. Lee Rd from Rabb Rd to Barton Hills Dr. The applicant for the Melridge Terrace development, at the intersection of Robert E. Lee Rd and Rabb Rd, requested to construct their required sidewalk utilizing existing street space on the east side of the street. Public Works Department (PWD) staff denied this request based on engineering judgment, but will permit the developer to construct the required sidewalk on the west side of the street.

It is the City's desire to provide multi-modal connectivity and to leverage bond funds whenever possible. PWD has an opportunity with this development to provide an American with Disabilities Act (ADA) compliant multi-use trail from Rabb Rd to Barton Springs Rd on the west side of Robert E. Lee Rd. Because the City already programmed the multi-use trail improvements project from Barton Springs Rd to Barton Hills Dr, this opportunity leverages our funding to provide a complete route.

The City listened and understood the concerns raised by the Neighborhood Associations regarding a future sidewalk on the east side of Robert E. Lee Rd. The multi-use trail built on the west side of Robert E. Lee Rd will be moved outside the curb where necessary to allow the future construction of a sidewalk on the east side. When a continuous sidewalk is constructed along the east side of Robert E. Lee Rd from Barton Hills Dr. to the Melridge Terrace development by others, the City will construct the remaining sidewalk on the east side of Robert E. Lee Rd adjacent to the Melridge Terrace property within one year.

The goal of this project is to create complete sustainable transportation corridors as per the adopted Sidewalk Master Plan and Bicycle Master Plan.

Sincerely,

Howard Lazarus, P.E., Director, Public Works Department

*An area designed for the shared use of bicycles, pedestrians, or other designated users. (Austin 2009 Bicycle Master Plan Update)

[illegible]

**Zilker Elementary Science Fair
February 1, 2007**

09/89

ENTRY FORM

Title of Project

The Water Quality of my Creek

Student(s) Name(s):

1. Sofie Blankenship
2. _____
3. _____

Grade Level 5 **Teacher** Ms. Ogren

Type of Project

- ☐ Collection
- ☐ Demonstration
- ☒ Experiment

Electrical Outlet required?

- ☐ YES
- ☒ NO

Background Information

This is a picture of the creek near my house. The creek is behind my house about halfway between Zilker School and Zilker Park. The creek starts next to Melridge Place from a large pipe that comes out from under the road. The creek is not there on the other side of the road. Sometimes there isn't any water coming from the pipe but there was always water where I took measurements because the creek has a spring 50 meters upstream from where I sampled the water. The creek drains into Town Lake.



When I started this project I decided that I needed to do tests on the water in the creek. I tested the following each week from April to December to see how polluted the creek is.

Dissolved Oxygen: I tested the dissolved oxygen because there must be enough dissolved oxygen in the water to help the animals survive and the creek stay healthy.

Nitrates and Phosphates: Nitrates and Phosphates are indicators of runoff from when it rains. Nitrate indicates fertilizer and phosphate is found in fertilizer, cleaning solutions, sewage and also naturally occurs in rocks. This may be bad for the health of the creek.

pH: pH measures how acidic or basic the water is. If the water is too acidic or basic it can eat away at your skin.

Coliform: Coliform may indicate fecal bacteria in the water that can make you sick. Not all coliform indicates fecal bacteria, you can test for E. coli to find out if there is fecal bacteria.

acidic or basic it can eat away at your skin.

Coliform: Coliform may indicate fecal bacteria in the water that can make you sick. Not all coliform indicates fecal bacteria, you can test for E. coli to find out if there is fecal bacteria.

C19
92

Other Dangers of the Creek

There are some dangers about our creek that have nothing to do with the quality of the water. One of them is poison ivy. My mother was sitting on the bank of the creek to help me test the water quality. With realizing it she sat near a three-leafed reddish plant that turned out to be poison ivy. Her arm was itchy for a couple of months.

Another danger is the garbage that comes with runoff. I have found coke bottles, broken glass, steel cans, plastic bags, a carpet and even an x-rated dvd in the creek. You could easily cut yourself on some of the trash if you were not careful.

The banks of the creek are made of clay. They are steep and can be very slippery, especially after a rain.

Acknowledgements

Thank you to my mom for all her help on my project. I enjoyed going down to the creek with her. Thanks to my dad for all his wonderful editing. Thanks to my little brother Jackson for being the inspiration for the project and for showing me how many things can go wrong when you go to make measurements at a creek. Finally, thanks to my friends Maddie, Miriam and Loren for going down to the creek with me when they came to visit.

References

LaMotte Water Monitoring Kit Manual (code 5848). LaMotte Company, PO Box 329, Chestertown, MO 21620

Washington State Department of Health, Division of Environmental Health, Office of Drinking Water, Coliform Bacteria and Drinking Water, <http://www.doh.wa.gov/ehp/dw/Programs/coliform.htm>

Wilkes University, Center for Environmental Quality, Environmental Engineering and Engineering Department, Phosphates and Water Quality: Total Phosphorus and Phosphate Impact on Surface Waters, <http://www.water-research.net/phosphate.htm>

Southwest Florida Water Management District, Water Quality Monitoring
<http://www.swfwmd.state.fl.us/education/kids/watermonitoring/measuring.html>

C19/93

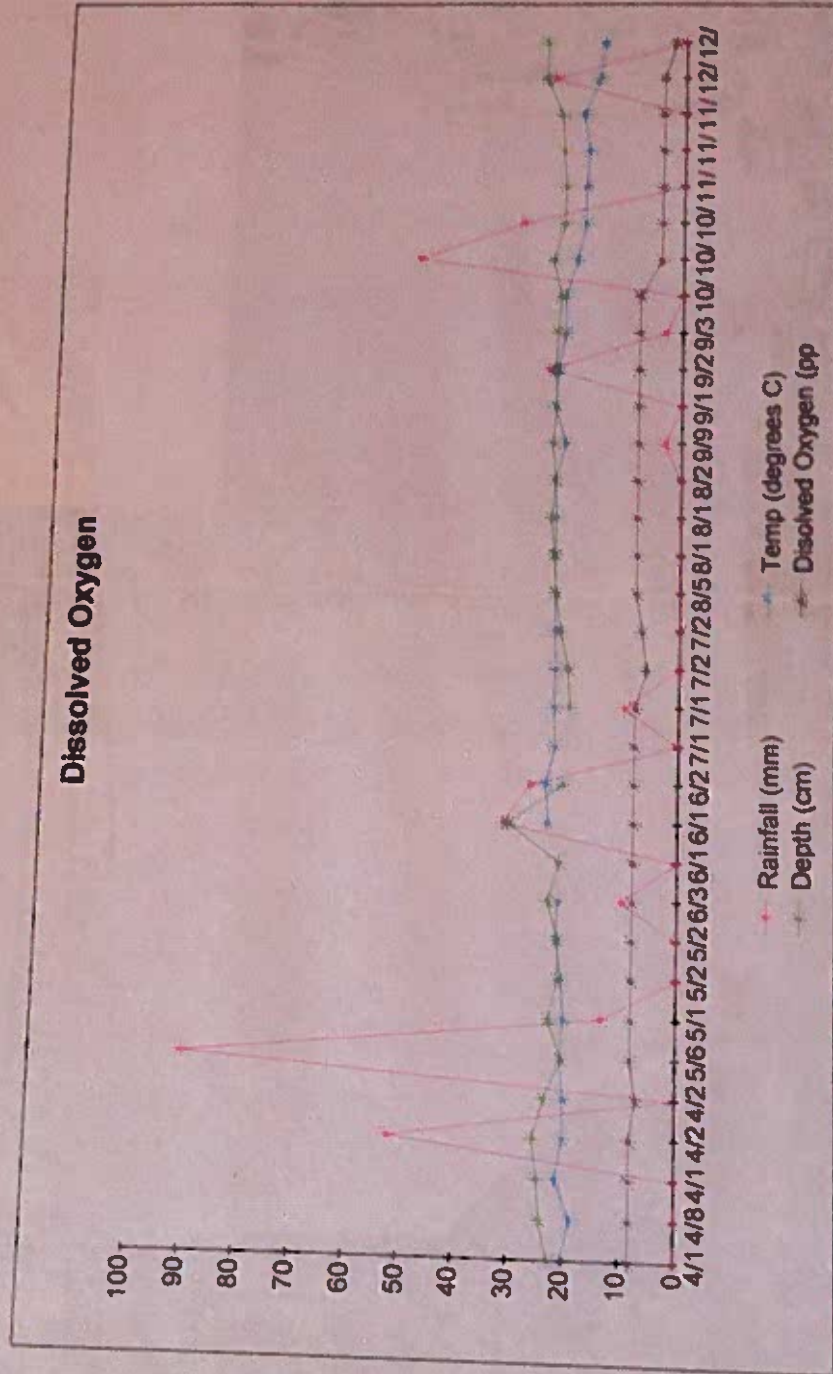
Conclusion

Overall the creek is pretty healthy. Only phosphate could be better. I found nothing in the water that would cause problems if you played in the water for awhile.

I was interested to see if the rainfall and temperature would affect the quality of the water in the creek. A couple of times when it rained a lot during the week I saw silt and bubbles on top of the water but this did not affect the results of the tests. Maybe if I had made the measurements immediately after the rain it would have changed the results.

The creek water is fine for me and my brother to play in.

C19
94



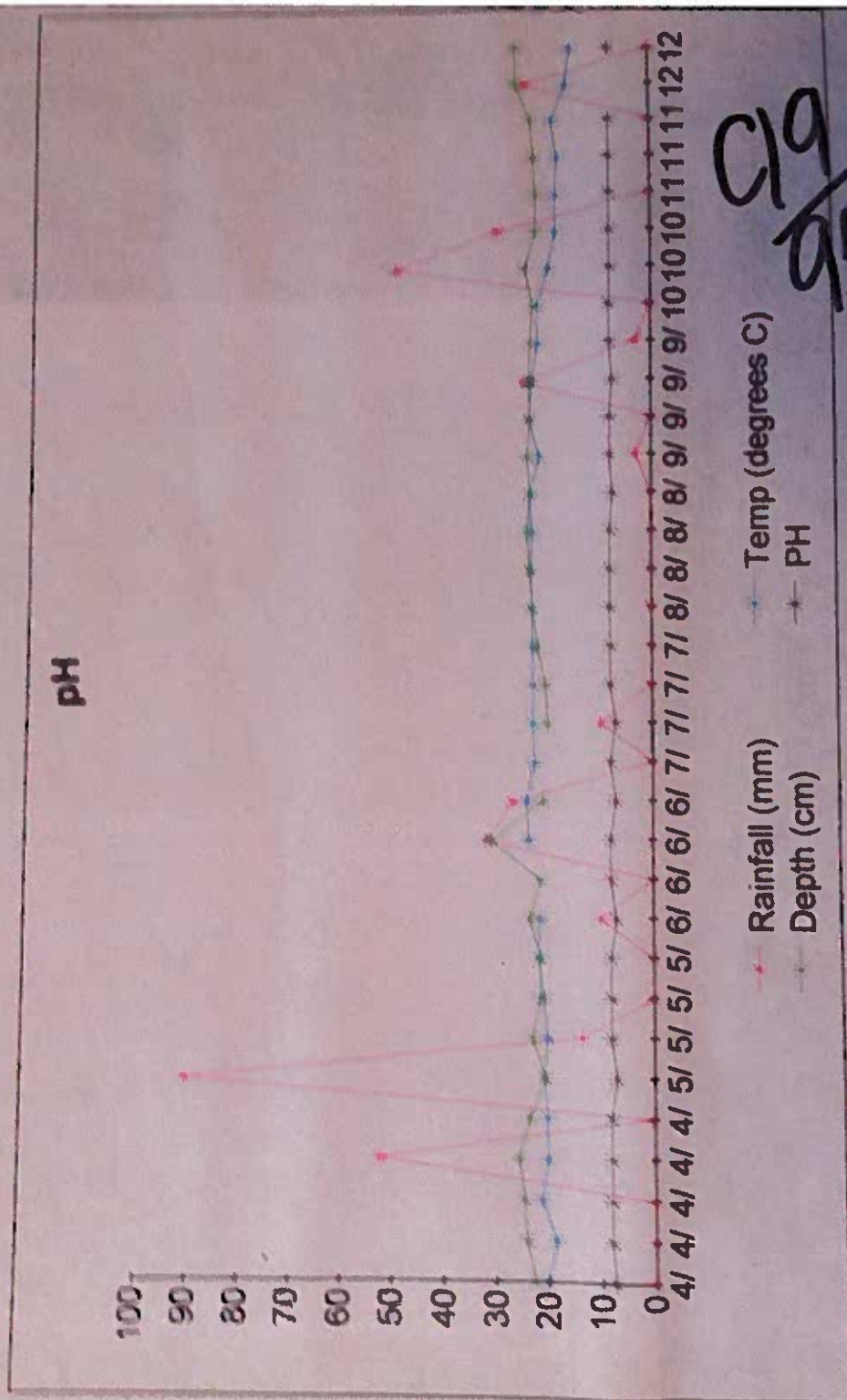


Exhibit D - 7

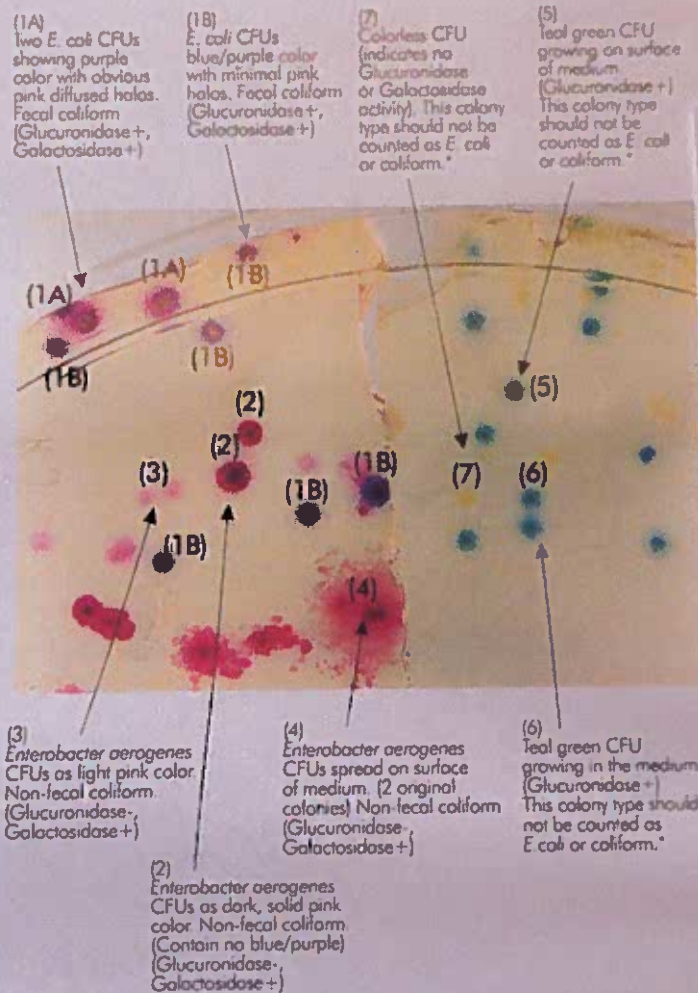
E. coli test colony comparison chart:

On my samples I saw lots of the pink coliform colonies but none of the purple E. coli colonies.

CP9
96

ColiQuant EZ Colony Color Guide

The left half of the photo (1-4) consists of colonies of *E. coli* (1A, 1B) and *Enterobacter aerogenes* (2, 3, 4) growing in/on Coliscan® Easygel® medium. The right half of the photo (5, 6, 7) represents the appearance of organisms other than *E. coli* or coliforms.



TOTAL COLIFORM, FE COLIFORM AND E. CO



*These teal or colorless types of colonies may be significant other types of bacteria (such as *Salmonella* spp. or *Shigella* spp.) or even rarely found atypical *E. coli* or coliforms, but should never be counted as *E. coli* or coliform without further biochemical testing. Photo and information for Color Guide supplied by Micrology Laboratories, LLC.

LaMotte Company • Chestertown • MD • 21620 • 800-344-3100 • www.lamotte.com

3-0034-0000

C9/97

Results

Dissolved Oxygen

The dissolved oxygen tests showed that there were normal levels of dissolved oxygen throughout the year. Anything above 5 ppm is considered healthy for marine life, 2 ppm is needed to support fish. I did see dissolved oxygen go down as the water temperature decreased but this was within the normal range for dissolved oxygen.

Nitrate

I rarely saw any nitrate in the creek water. There were a couple of times when the nitrate levels were as high as 3 ppm, but water with nitrate levels of up to 40 ppm is considered drinkable so it was well within the safe range.

Phosphate

Sometimes the levels were a bit high on phosphate. Nitrate levels of 4 ppm are considered only fair, whereas 2 ppm is considered good. I do not know where the phosphate was coming from. Since I rarely saw nitrate I do not think there were many fertilizers washing into the creek. The phosphate could have been coming from a natural source such as rocks or from cleaning solutions washing into the creek. Since both the pH and the dissolved oxygen were good the phosphate did not appear to be affecting the health of the creek. The creek runs into Town Lake and the high phosphate levels could cause excessive plant growth in the lake but should not cause problems for playing in the creek.

pH

A pH level of 7.0 is considered neutral. A pH range of 6.5 to 8.2 is best for most organisms. The pH of the creek was always within this range.

Coliform

The coliform test always showed positive, which may be bad. Only some types of coliform are fecal coliform, the bad kind. I needed a better test for fecal coliform.

e. coli

Towards the end of our experiment I tested for e. coli because I were worried about the positive results of the coliform test. I never saw any e. coli growing in the petri dishes except for one time when I might have had 200 colonies per 100 mL. However in this case it was very difficult to judge if the colony was really the correct color for e.coli. It looked more like two colonies with different colors were growing one on top of the other. I do not believe I saw any e. coli.

Data collected from water samples from the creek.
April - December 2006

Date	Rainfall (mm)	Temp (degrees C)	Depth (cm)	Phosphate (ppm)	pH	Dis. Oxygen (ppm)	Nitrate (ppm)	Coliform	e coli (cfu/100ml)
4/1/2006	0	20	22.5	1	7.5	8	0.5	TRUE	
4/8/2006	0	18.5	24.0	4	8	8	0	TRUE	
4/15/2006	0	21.2	24.5	2	8	8	0	TRUE	
4/22/2006	4.0								

From: Clamann, Andrew
Sent: Wednesday, October 24, 2012 9:34 AM
To: Heckman, Lee
Cc: Daniel, Leslie; McDougal, Mike
Subject: RE: C14-2012-0109 Water Quality Study

QA
98

Mr. Heckman,

I have reviewed the documents. Sophie is clearly an outstanding student of science. Her presentation is both compelling and admirable. However, I am personally unable to use the data or conclusions because without detailed knowledge of procedures and QA/QC it would not be appropriate. Although this waterway has historically been marginalized, it is most certainly worthy of continued protection as a tributary to the surface water system and connection to an intensely utilized recreational area within a sensitive watershed.

If you want to provide this information to future boards/commissions/etc, my recommendation would be to compile the text and graphics in a single word doc or pdf and distribute accordingly.

Best wishes,

Andrew Clamann
Environmental Scientist
City of Austin, Watershed Protection
(512) 974-2694
andrew.clamann@austintexas.gov

Interested in information about our water quality monitoring?
Check out www.austintexas.gov/departments/environmental-integrity-index

From: McDougal, Mike
Sent: Tuesday, October 23, 2012 4:25 PM
To: Heckman, Lee
Cc: Clamann, Andrew; Daniel, Leslie
Subject: FW: C14-2012-0109 Water Quality Study

Lee,

This is interesting information. But I think it might be more applicable to a water quality / drainage review engineer like Leslie Daniel and also perhaps to Andrew Clamann for wetlands biology.

My review discipline consists of determining whether or not a proposed development complies with current Code.

Thanks,
Mike
Mike McDougal
Environmental Review Specialist Senior
Land Use Review
City of Austin
974-6380

Please note my email address has changed to: mike.mcdougal@austintexas.gov

Exhibit D - 10

C19
99

Background Information

This is a picture of the creek near my house. The creek is behind my house about halfway between Zilker School and Zilker Park. The creek starts next to Melridge Place from a large pipe that comes out from under the road. The creek is not there on the other side of the road. Sometimes there isn't any water coming from the pipe but there was always water where I took measurements because the creek has a spring 50 meters upstream from where I sampled the water. The creek drains into Town Lake.

creek



Zilker Elementary

99/100

Data collected from water samples from the creek.
April - December 2006

Date	Rainfall (mm)	Temp (degrees C)	Depth (cm)	Phosphate (ppm)	pH	Diss. Oxygen (ppm)	Nitrate (ppm)	Coliform	e coli (cfu/100ml)
4/1/2006	0	18.9	24.0	1	7.5	8	0	TRUE	0
4/3/2006	0	21.2	24.5	2	8	8	0	TRUE	0
4/15/2006	0	20.0	25.5	4	8	8	0	TRUE	0
4/22/2006	15.5	20.1	21.5	1	8	7	0	TRUE	0
4/29/2006	0.5	20.6	20.5	4	7	8	0	TRUE	0
5/6/2006	13.5	20.2	23.0	2	8	8	0	TRUE	0
5/13/2006	0	20.8	21.5	2	8	8	0	TRUE	0
5/20/2006	0	21.8	21.5	2	7	8	0	TRUE	0
5/27/2006	10	21.6	23.5	4	8	8	0	TRUE	0
6/3/2006	0	error	21.5	2	8	8	0	TRUE	0
6/10/2006	32	23.7	31.0	1	8	8	0	TRUE	0
6/24/2006	27	24.2	21.0	4	7	8	0	TRUE	0
7/1/2006	0	22.6	na	3	8	8	0	TRUE	0
7/15/2006	10	22.9	20.0	error	7	8	0	TRUE	0
7/22/2006	0	22.8	20.5	1	8	7	0	TRUE	0
7/29/2006	0	23.0	22.0	4	8	8	0	TRUE	0
8/5/2006	0	23.1	23.0	3	8	8	3	TRUE	0
8/12/2006	0	23.2	23.5	2	8	8	0	TRUE	error
8/19/2006	0	23.1	24.0	4	8	8	0	TRUE	0
8/26/2006	0	23.4	23.5	2	7.5	8	0	TRUE	0
9/2/2006	3	21.7	24.0	4	8	8	0	TRUE	0
9/16/2006	0	23.0	23.5	4	8	8	0	TRUE	0
9/23/2006	25	23.2	23.8	4	7.5	8	0	TRUE	0
9/30/2006	3	22.0	23.5	4	8	8	0	TRUE	2007
10/7/2006	0	22.1	23.0	4	8	8	0	TRUE	0
10/21/2006	50	20.0	24.5	4	8	4	0	TRUE	0
10/28/2006	30	18.5	22.5	2	8	4	0	TRUE	0
11/4/2006	0	18.8	22.5	4	8	4	0	TRUE	0
11/11/2006	0	18.2	23.0	4	8	4	0	TRUE	0
11/24/2006	0	19.3	23.5	2	8	4	0	TRUE	0
12/2/2006	25	18.5	26.5	1	error	4	0	TRUE	0
12/9/2006	0	15.5	26.5	1	8	2	0	TRUE	0

From: Donald Blankenship
Sent: Monday, March 18, 2013 11:04 AM
To: Heckman, Lee
Cc: Hauwert, Nico
Subject: Re: case C14-2012-0109 comments on the environmental context for the "sunflower" development on Robert E. Lee Rd. (1 of 2)

C19
101

Hello Lee,

I have attached my comments for the upcoming hearing on March 26th as a presentation on the "Environmental Context for the proposed Sunflower Development at 1201 Robert E. Lee Road." (case # C14-2012-0109). My name is Donald Blankenship and I am a Senior Research Scientist at UT-Austin with a Ph.D. in Geophysics and a focus on geology and hydrology beneath the Antarctic ice sheet. I have been asked by my neighbors to take a clean look at the geological and hydrological context of the site and any ramifications from the proposed rezoning/development.

As background, I live next to the proposed development and have been at this location for sixteen years. My daughter Sofie Blankenship is sixteen and a student at Austin's Liberal Arts and Sciences Academy; she has grown up in this house, so the creek adjacent to the proposed development has long been a focus for of interest for her. In particular, Sofie studied the site weekly for nine months in 2006 showing that the creek is quite healthy and sustained its flow throughout the year (and likely hosts a significant system of springs and seeps) . Because of her interest, there is a case to be made that our family probably has more long term data on the environmental status of the creek than anyone.

I obviously object to the rezoning of the property for the reasons laid out in my presentation. The main talk is 19Mbytes because of a suite of photos of the site and its environs but I would like to have it included in the draft report for the upcoming hearing on rezoning so please let me know if you are having any email/pdf problems. The second email is the summary slides for that talk and are much smaller in size just to be sure that something gets through the system. I will be present at the hearing and plan to speak. I have also cc'd my presentation to Nico Hauwert the COA hydrogeologist who was kind enough to answer my many background questions.

All the Best,
Don B.

Donald D. Blankenship
2132 Melridge Place
Austin TX, 78704
[512-707-7323](tel:512-707-7323) (home)
[512-809-3755](tel:512-809-3755) (cell)

Environmental Context for the
Proposed “Sunflower”
Development at 1201 Robert E. Lee,
Austin TX
(case C14-2012-0109)

Donald D. Blankenship, Ph.D.

Sofie L. Blankenship
(neighboring Zilker Skyline residents)

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Exhibit E - 2

Summary (1)

Environmental Context for the Proposed “Sunflower” Development
at 1201 Robert E. Lee, Austin TX
(case C14-2012-0109)

- * The proposed “Sunflower” development and Little Zilker Creek downslope of it lie entirely within the Edwards Aquifer Recharge Zone.
- * The limestone grotto on Little Zilker Creek adjacent to the proposed development contains persistent springs lying within the Edwards Aquifer Recharge Zone and should be listed as a “Critical Environmental Feature” with appropriate development setbacks.

Summary (2)

Environmental Context for the Proposed “Sunflower” Development
at 1201 Robert E. Lee, Austin TX
(case C14-2012-0109)

- * The spring-fed grotto and any spring/seep system along Little Zilker Creek needs to be understood both hydrologically and biologically (and properly protected) before any major upslope development; the entire system should be considered for listing as a “Critical Environmental Feature”.
- * The persistent flow of Little Zilker Creek leaves the surface system and enters the Edwards Aquifer only a few hundred yards from the Main Spring at Barton Springs Pool; the hydrological connection between Little Zilker Creek, the Robert E. Lee culvert and the springs in Zilker Park must be understood before any major development.

C19
-104

Exhibit E - 4

Summary (3)

Environmental Context for the Proposed "Sunflower" Development
at 1201 Robert E. Lee, Austin TX
(case C14-2012-0109)

- * The outlet of Little Zilker Creek at the Robert E. Lee culvert lies within the Critical Subsurface Habitat (CSH) proposed for the Austin Blind Salamander by the US Fish and Wildlife Service (USFWS).
- * Note that any surface drainage down Robert E. Lee Rd. will enter the USFWS CSH at this culvert so hydrological connections between Little Zilker Creek, the Robert E. Lee culvert and Eliza, Main and Old Mill Springs in Zilker Park must be understood and accommodated before any major development along Little Zilker Creek or Robert E. Lee Rd..

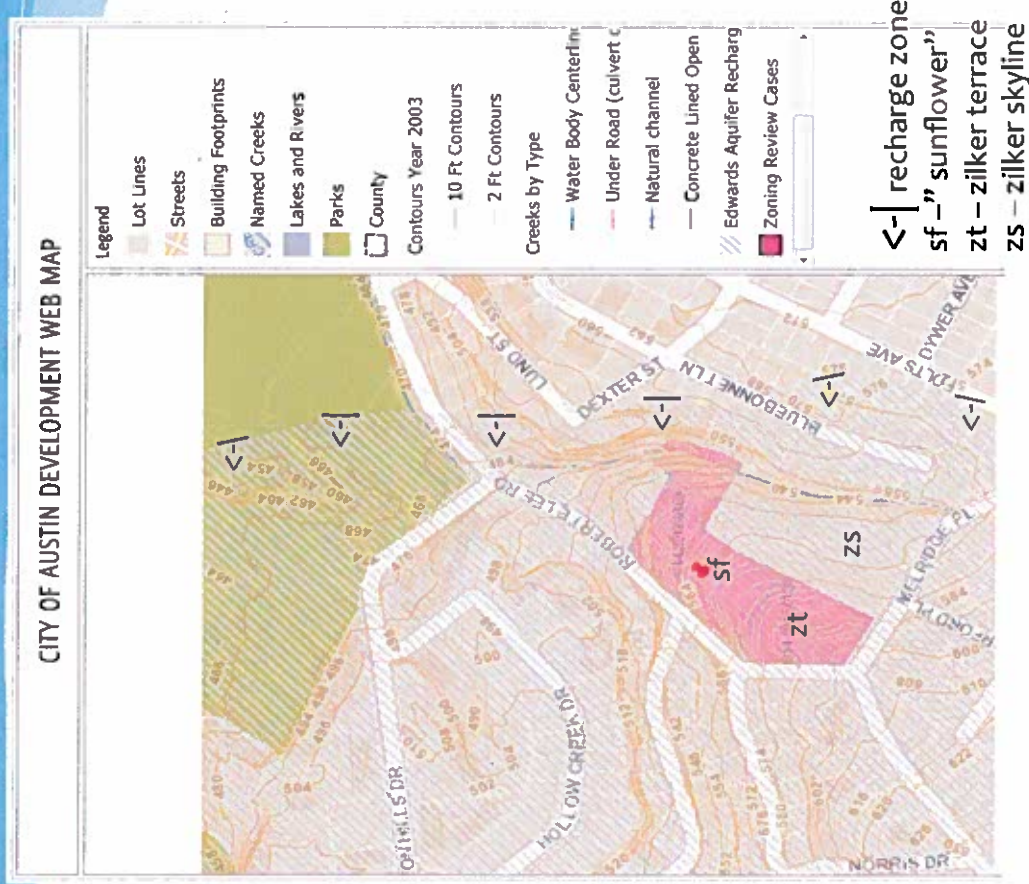
Environmental Context for the
Proposed “Sunflower”
Development at 1201 Robert E. Lee,
Austin TX
(case C14-2012-0109)

Donald D. Blankenship, Ph.D.

Sofie L. Blankenship
(neighboring Zilker Skyline residents)

Sunflower Development in the Context of “little zilker creek” and Edwards Aquifer Recharge

- A creek draining the Zilker neighborhood (“little zilker creek”) lies on the east side of the proposed Sunflower development.
- Little Zilker Creek flows mostly within a COA Public Utility Easement and empties into the southern corner of Zilker park.
- The proposed “Sunflower” development and Little Zilker Creek downslope of it lie entirely within the Edwards Aquifer Recharge Zone.



C19
-07
Exhibit E - 7

Geological and Hydrological Context for Little Zilker Creek at the Proposed Sunflower Development



- The bed of Little Zilker Creek upstream of the proposed Sunflower development (along Zilker Skyline) is on Buda limestone (N.M. Hauwert, pers. comm., 2013) and its creek flow is intermittent until it reaches a *significant limestone grotto downslope of the proposed development* (see photo).
- Downstream of this grotto the flow of Little Zilker Creek persists throughout the year (S. L. Blankenship, Zilker School Science Fair, 2007).
- The limestone grotto on Little Zilker Creek adjacent to the proposed development contains persistent springs lying within the Edwards Aquifer Recharge Zone and should be listed as a “Critical Environmental Feature” with appropriate development setbacks.

Hydrology and Biology of Little Zilker Creek Adjacent to the Proposed Sunflower Development



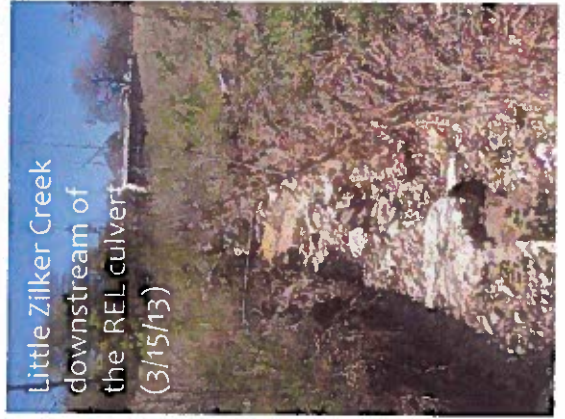
- The limestone grotto and the bed of Little Zilker Creek downstream of it (downslope of the proposed development) seem to be controlled by a significant fault in the Buda limestone (Nico Hawert, pers. comm., 2013); it is likely that additional springs and seeps (see photo) occur along this fault where it intersects Little Zilker Creek.
- The spring-fed grotto and any spring/seep system along Little Zilker Creek needs to be understood both hydrologically and biologically (and properly protected) before any major upslope development; the entire system should be considered for listing as a “Critical Environmental Feature”. **Exhibit E - 9**

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Little Zilker Creek and Barton Springs



Little Zilker Creek
upstream at REL
culvert (3/15/13)



Little Zilker Creek
downstream of
the REL culvert
(3/15/13)

- The spring-fed grotto on Little Zilker Creek is about 500 yards from Main Spring in Barton Springs Pool; about 250 yards from the grotto, the flow of the creek enters Zilker Park at a culvert beneath Robert E. Lee Rd. (see photo).
- The persistent flow of Little Zilker Creek ponds on the upstream side of the Robert E. Lee culvert and exits the downstream side in the Zilker park; it then **disappears** into the aquifer about 25 yards downstream from the culvert (see photo).
- The persistent flow of Little Zilker Creek leaves the surface system and enters the Edwards Aquifer only a few hundred yards from the Main Spring at Barton Springs Pool; the hydrological connection between Little Zilker Creek, the Robert E. Lee culvert and the springs in Zilker Park must be understood before any major development.

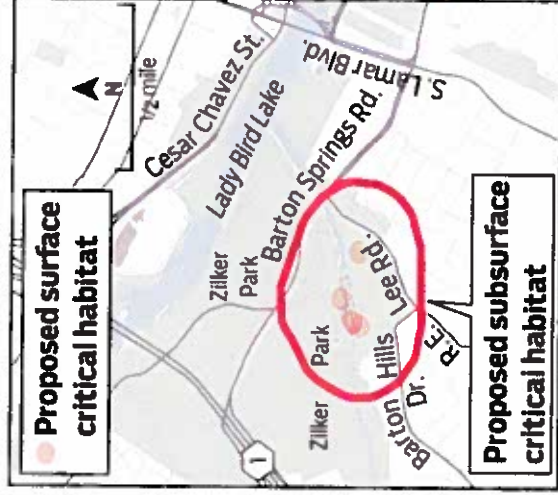
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Robert E. Lee Road and Barton Springs

<http://austintexas.gov/>



AUSTIN BLIND SALAMANDER



Source: U.S. Fish and Wildlife Service

The Austin Blind Salamander is proposed for listing as an endangered species by the US Fish and Wildlife Service (USFWS); *this salamander has been observed at only three springs in Zilker Park (Eliza, Main and Old Mill) .* The habitat of the Austin Blind Salamander is within the Edwards Aquifer so USFWS has proposed a “Critical Subsurface Habitat (CSH)” that extends approximately 330 yards from each of the three springs (see attached sketch); the outlet of Little Zilker Creek at the Robert E. Lee culvert lies within this proposed Critical Subsurface Habitat. Note that any surface drainage down Robert E. Lee Rd. will enter the USFWS CSH at the culvert so hydrological connections between Little Zilker Creek, the Robert E. Lee culvert and Eliza, Main and Old Mill Springs in Zilker Park must be understood before any major development.

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From: Steven Radke
Sent: Monday, March 18, 2013 1:45 PM
To: Heckman, Lee
Subject: Re: Condition Response 1201 Robert E Lee

Lee,

Attached is the final set of conditions that I am willing to offer. All of these are based on feedback from neighbors on the petition and adjacent sites. These were offered March 5 and recently (March 16th) changed to 18 units max, all other conditions the same. The density change was in response to Mrs. DeFrese's email stating "neighbors are not happy with the density."

These were voluntary on my behalf given multiple meetings with those affected and feedback given on our project.

At this moment, I am not requesting a postponement of our 26th date. I simply asked Ms DeFrese that if the neighbors are "still considering my offer" by Tuesday March 19, I would like a letter of support in the request to postpone in hopes that the request would be granted at PC and I could still possibly work a deal. (Given your comments on neighbor/neighborhood support of postponement and willingness of PC to grant request second time around given this support.)

If they are not "still considering" the conditions offered and give me a no response or a negative by March 19, I don't see any reason to postpone and we will move forward.

In other words, and to answer your question, the postponement request will be determined in the next day or so.

Thanks

Steven

From: Steven Radke
Sent: Monday, March 18, 2013 7:59 AM
To: Heckman, Lee
Subject: Fwd: Condition Response 1201 Robert E Lee

Lee,

See below from my neighbor contact person. This was in response to the last set of conditions offered that were sent to you week before last.

In response to Mrs. DeFrese's email, I offered one last set of conditions as my final offer. I **offered to trim the density in a rezone to 18 stand-alone units**. Please document this as you prepare staff comments for our scheduled PC hearing date on the 26th of March. If I need to put this in a formal letter of offering, I will do so and send your way. I can summarize all of the conditions, including the 18 unit density max, in a 1 page doc, if you deem necessary.

I also requested that a response be given to me by Tues (tomorrow) of this week. If they are still "considering" I asked that they write a letter explaining the fact and support a PC postponement of 2 weeks. I have also asked that the ZNA sign off on this letter.

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Thanks,

Steven Radke
Principal
VRI
[512.626.8645](tel:512.626.8645)

----- Forwarded message -----

From: Jeannie Defrese
Date: Sat, Mar 16, 2013 at 3:34 PM
Subject: Re: Condition Response
To: Steven Radke

Steven,

People are still considering and discussing and are generally unhappy with the density and creek set back.

Jeannie DeFrese
Triple Mint Real Estate
[512-431-8016](tel:512-431-8016)

Sent from iPhone - pls excuse any typos

On Mar 15, 2013, at 7:34 PM, Steven Radke wrote:

> Jeannie,
>
> Do we have a favorable response yet on the condition set offered in support for rezone? I would like to start gathering support letters so that I can address petition members/ with your help, with proof of support from those around us.
>
> Thanks and look forward to your response.
>
> Steven Radke
> Principal
> VRI
> [512.626.8645](tel:512.626.8645)



1201 ROBERT E LEE: SUNFLOWER

CASE # C14-2012-0109

OWNER: Joe and Hazel Joseph

AGENT: Vinson Radke Investments, LLC (VRI, LLC)

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PROPOSED CONDITIONS – MARCH 16, 2013

The conditions below have been offered in writing, and to be adopted in the ordinance for zoning, by VRI, LLC on March 6, 2013 in exchange for support and removal of the valid petition for the application to rezone the subject tract from SF3 to SF6 (Case # C14-2012-0109).

The conditions offered are based on a meeting and neighbor/petition member feedback that took place on March 4, 2013 at 1112 Bluebonnet Ln, residence of Mrs. Jeannie DeFrese (Petition Contact Person).

CONDITONS OFFERED FOR SUPPORT IN APPLICATION TO REZONE SUBJECT PROPERTY FROM SF3 to SF6:

(Zoning Ordinance)

- Maximum Number of Dwelling Units is 18.
- Maximum Height of any structure is 30ft.
- Maximum Impervious Cover for the entire site is 40%.
- Along the Southeast, East, and South property lines that adjoin property zoned SF6, the following apply:
 - No building may be built within 20ft of the property line.
 - No building in excess of 1 story or 15ft may be constructed with in 25 ft of the property line.
 - A fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.

- Each dwelling unit will have a minimum of 2 parking spaces and access to an area in which a 3rd vehicle can park. This could be on their driveway or in a guest spot, somewhere on the property.

(Private Restrictive Covenant)

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- All exterior lighting will be low-density and down screened. Exterior lighting must be hooded or shielded so that the light source is not directly visible from adjacent property.
- A highly reflective surface, including reflective glass will not be used on any buildings unless the surface is a solar panel.
- Metal Roofs may be used but must be painted or of a non-metallic finish.

VRI, LLC believes the conditions offered meet those demands of the neighbors while allowing enough flexibility in design to articulate buildings and create a more attractive Urban Community.

VRI has a specific goal of creating infill communities that are cohesive with their surroundings while offering a product that is not only attractive, but meets the needs of those who can contribute to the immediate neighborhood. We believe the stand-alone product class is a superior development plan to the alternative on larger sites when surrounded by like density.

Steven Radke
Principal
VRI, LLC
StevenRadke@VRIAustin.com
512.626.8645

-----Original Message-----

From: Jeannie Defrese

Sent: Tuesday, March 19, 2013 8:27 PM

To: Steven Radke

Cc: David Davis; Heckman, Lee, [others]

Subject: Neighbor's Conditions/1201 Robert E Lee/Case number C14-2012-0109

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Steven,

Attached is the neighbor's response to the conditions you proposed. These are supported by a large group of the petition signers.

I did not include another attachment with your conditions as mentioned in this document since we all already have copies of that.

Thank you,

Jeannie DeFrese
1112 Bluebonnet Lane
431-8016

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All the conditions that Mr. Radke has already offered (attached for reference) with the following changes and additions:

- 150 foot creek setback which is what is our understanding of the city requirement when there is a "critical environmental feature" present - the SPRING.
 - Agreement to revegetate at least the first 50 feet off the creek(creek front) with native species and a commitment to leave the entire 150 foot setback natural from here out.
 - A maximum density level of 7 units which would be in keeping with the neighboring SF-6 development, Zilker Skyline, which is 3.3 units per acre. This would be calculated on the acreage actually available for development so it would NOT include the area in the 150 foot creek setback. Rough calculations show the developable area to be just over 2 acres so a density level of 7 units.
 - Impervious coverage maximum of 40% as agreed to by the developer to be calculated also on the developable area, not the 150 foot creek setback.
- The impervious cover is contingent on a couple of things. From the topographical information the developer has provided, much of the developable area

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drains toward Robert E Lee - the Barton Creek Watershed. A thorough study should be made here and if this is the case and drainage enters this watershed, then impervious cover levels in the developable area should be kept below 15%. And from the study of the creek, if it is as it appears that the flow goes below surface into the Edwards Aquifer above Barton Springs then the lesser impervious cover should apply to any portion of the property which drains to the creek including along Robert E Lee to the culvert containing the creek at the south corner of Zilker Park.

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PETITION

Case Number: **C14-2012-0109**

Date: **3/18/2013**

Total Square Footage of Buffer: **480517.83**

Percentage of Square Footage Owned by Petitioners Within Buffer: **74.14%**



Calculation: The total square footage is calculated by taking the sum of the area of all TCAD Parcels with valid signatures including one-half of the adjacent right-of-way that fall within 200 feet of the subject tract. Parcels that do not fall within the 200 foot buffer are not used for calculation. When a parcel intersects the edge of the buffer, only the portion of the parcel that falls within the buffer is used. The area of the buffer does not include the subject tract.

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#	TCAD ID	Address	Owner	Signature	Petition Area	Percent
1	0103061126	1125 HOLLOW CREEK DR 78704	BARTON COVE APARTMENTS II LLC	no	1187.87	0.00%
2	0103060347	1102 BLUEBONNET LN 78704	BEEDLE CARMA R	yes	32,671.37	6.80%
3	0103060303	1113 ROBERT E LEE RD 78704	BIERY EVELYN HUDSON & JOHN T SANDERS IV &	yes	59038.25	12.29%
4	0103060325	1105 ROBERT E LEE RD 78704	BOEBEL WILLIAM R & ELIZABETH BARRETT-BOEBEL	yes	260.41	0.05%
5	0103060309	2005 DEXTER ST 78704	BOLT MARTIN BROOKS III ET AL	no	11444.54	0.00%
6	0103061016	2203 TRAILSIDE DR 78704	CEDARVIEW PROPERTIES LLC	no	5034.22	0.00%
7	0103061112	1104 ROBERT E LEE RD 78704	CHAPA ISAAC E & JOYCE B	yes	1366.89	0.28%
8	0103060349	1108 BLUEBONNET LN 78704	COE ROBERT ALAN	yes	12774.35	2.66%
9	0103060114	2203 SPRING CREEK DR 78704	DAMMERT CHRIS	yes	769.38	0.16%
10	0103060351	1112 BLUEBONNET LN 78704	DEFRESE JERRY & JEANNIE	yes	16464.69	3.43%
11	0103061119	2202 A TRAILSIDE DR 78704	DESATNIK ERIC	no	1342.24	0.00%
12	0103060335	2009 DEXTER ST 78704	ELWELL JAMES WELDON	yes	3957.3144	0.82%
13	0103061129	2202 TRAILSIDE DR 78704	FISHER KIMBERLY	yes	623.70	0.13%
14	0103060115	2201 SPRING CREEK DR 78704	FITZGERALD BILLY WILSON & ERNA RENE FITZGERALD	yes	13,936.29	2.90%
15	0103060345	1109 BLUEBONNET LN 78704	FLACK ELIZABETH HODGE	no	22.19	0.00%

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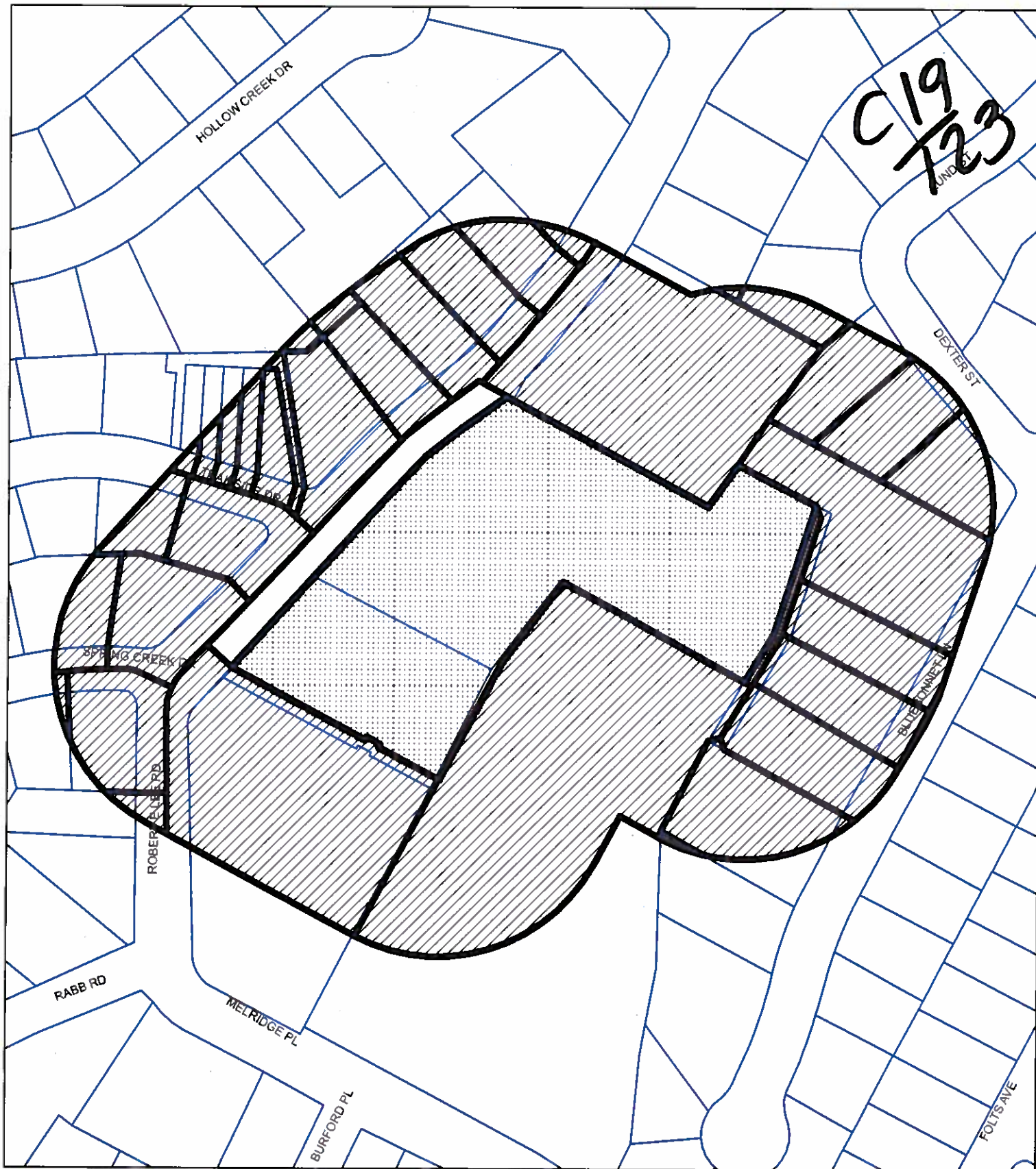
		1107 BLUEBONNET LN				
16	0103060338	78704	FOLK ROBERT L	no	232.35	0.00%
		2200 C TRAILSIDE DR				
17	0103061128	78704	GALVAN ALFREDO	no	2,054.29	0.00%
		1114 ROBERT E LEE RD 78704	GANTT DOROTHY WARREN BRYANT	no	10,431.79	0.00%
18	0103061114	2205 TRAILSIDE DR 78704	HILTON FRANCES N	no	0.34	0.00%
		1116 BLUEBONNET LN				
21	0103060352	78704	HINSON DONNA R	yes	254.59	0.05%
		2007 DEXTER ST 78704	HOUGHTON JOHN G & KAREN E KROG	yes	10,068.02	2.10%
		1131 HOLLOW CREEK DR 78704	HOWLAND JANE E	no	785.39	0.00%
23	0103061106	TRAILSIDE DR 78704	KEALEY DAVID ETAL	yes	1,989.69	0.41%
24	0103061130	2200 A TRAILSIDE DR				
25	0103061118	78704	KEALEY DAVID J	yes	4,754.66	0.99%
		2200 SPRING CREEK DR 78704	LOWE RAYMOND C	yes	15,347.60	3.19%
26	0103061001	1116 ROBERT E LEE RD 78704	PASSMORE BILLIE L	yes	11,529.05	2.40%
27	0103061115	2003 DEXTER ST 78704	PECK JOHN RONALD	yes	9,651.26	2.01%
28	0103060310	1304 ROBERT E LEE RD 78704	RANDLE MALLORY B	yes	1,782.06	0.37%
29	0103060117	1120 ROBERT E LEE RD 78704	REYNOLDS CARY S & KERRY M PRICE	yes	15,576.62	3.24%
30	0103061117	1118 ROBERT E LEE RD 78704	ROE KEVIN	no	9,650.40	0.00%
31	0103061116	2200 B TRAILSIDE DR				
32	0103061127	78704	SANDERS R H	yes	2,905.47	0.60%
		1106 BLUEBONNET LN	SIGSBY ERIC E & JUDY B	yes	12,570.50	2.62%
33	0103060348	78704				




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		2202 SPRING CREEK DR 78704	SWINTON JOHN WAYNE & K JEANNIE			
34	0103061002			yes	6,856.09	1.43%
35	0103061017	2201 TRAILSIDE DR 78704	THOMAS JAY S & TRACY S WISE	yes	13,352.97	2.78%
36	0103060350	1110 BLUEBONNET LN 78704	WEISMAN DALE ERIC	yes	14,696.84	3.06%
37	0103060363	1303 ROBERT E LEE RD 78704	ZILKER TERRACE LP	no	57,968.23	0.00%
38	0103061501	MELRIDGE PLACE	ZILKER SKYLINE	yes	93,044.91	19.36%
39	0103061701	1112 ROBERT E LEE RD 78704	BENDER KATHRYN	no	7,669.53	0.00%
						Total %
						74.14%

The following parcel was incorrectly included in the list of properties within 200' of the subject tract. As indicated in the attached map, the property is on the east side of Bluebonnett Lane, and outside the 200' buffer. The relative percentages listed above will increase slightly to account for this removed parcel.

#	TCAD ID	Address	Owner	Signature	Petition Area	Percent
19	0103060346	1105 BLUEBONNET LN 78704	HANSON HARLIN ALAN & RITA LEE	yes	76.32	0.02%



-  BUFFER
-  PROPERTY_OWNER
-  SUBJECT_TRACT

PETITION

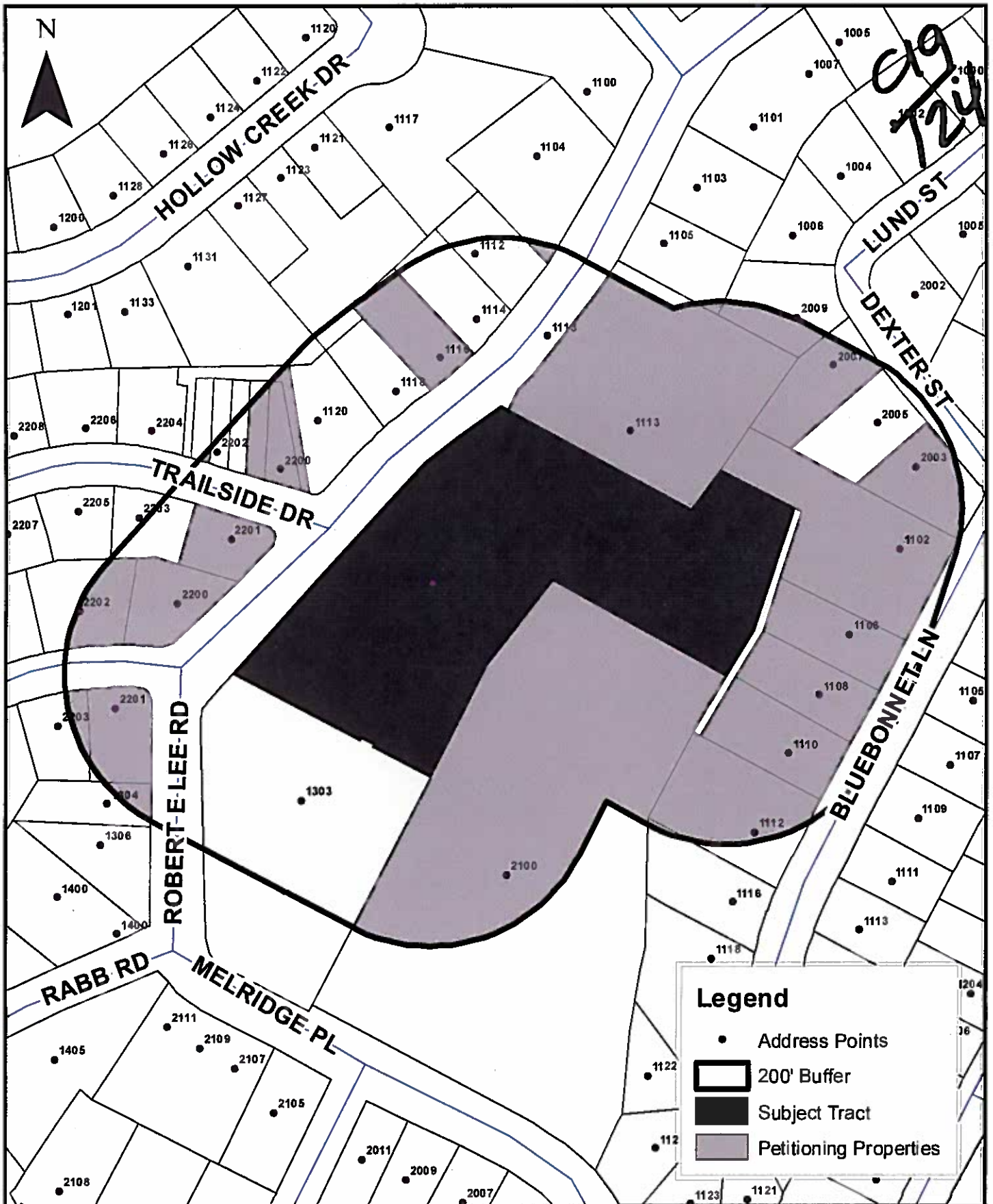
CASE#: C14-2012-0109
GIS Staff Map

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



C14-2012-0109 / Sunflower / Petitioning Properties



NOTE: This illustrative map is for educational and informational purposes only. No warranty is made regarding the completeness and accuracy of any data depicted or represented hereon. Drafted by LAH on 03/19/2013.

Annotated PDR Staff Map

0 100 200 Feet
1 inch = 150 feet

Exhibit P - 6






$$C_{125}^{19}$$

Address of Rezoning Request: 1201 Robert E. Lee Road

We, the undersigned owners of property affected by the requested zoning change described in the referenced file, do hereby protest against any change of the Land Development Code which would zone the property to any classification other than SF-3.

We do not see an upzoning to SF-6 as an appropriate use of the property. A main reason we bought our homes in this immediate area was because of the low density single family zoning of the adjacent properties. We do not want the increase in density that a Condominium Residence district will allow, nor the damages to our properties because of change in the zoning including, but not limited to diminished privacy and light and noise pollution. With a denser development, the resulting loss of green space, tree and plant loss, increased runoff in the adjacent creek/drainage, loss of habitat, and increased traffic are not acceptable to us as neighbors.

Petition Contact Person - Jeannie DeFrese - (512)431-8016

CARY REYNOLDS	1120 R.E. LEE	
DAVID KEALEY	2200A TRAILSIDE	
DAVID KEALEY ETAL	2200 TRAILSIDE	
R H SANDERS	2200 TRAILSIDE PB	
Kim Fisher	2202 B Trailside #	

September 27, 2012

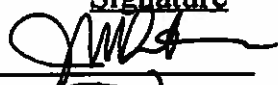




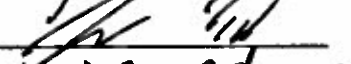
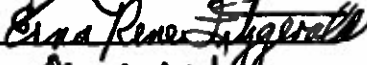

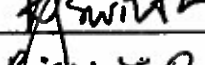
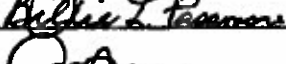


Re: Case Number: C14-2012-0109

Austin City Council Members,

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We do not see an upzoning to SF-6 as an appropriate use of the property. A main reason we bought our homes in this immediate area was because of the low density single family zoning of the adjacent properties. We do not want the increase in density that a Condominium Residence district will allow, nor the damages to our properties because of change in the zoning including, but not limited to diminished privacy and light and noise pollution. With a denser development, the resulting loss of green space, tree and plant loss, increased runoff in the adjacent creek/ drainage, loss of habitat, and increased traffic are not acceptable to us as neighbors.

Petition Contact Person - Jeannie DeFrese - (512)431-8016

<u>Name</u>	<u>Address</u>	<u>Signature</u>
Jeannie DeFrese	1112 Bluebonnet Lane	
Jerry DeFrese	1112 Bluebonnet Lane	
Dale Eric Weisman	1110 Bluebonnet Lane	
Robert Alan Cor	1108 Bluebonnet Lane	
Donna R. Hinson	1116 Bluebonnet Lane	
John R. Peck	2003 Dexter Street	
James Elwell	2009 Dexter Street	
Erna Rene Fitzgerald	2201 Spring Creek	
JOHN SWINTON	2202 SPRING CREEK	
KJ Swinton	2202 Spring Creek	
Billie L. Passmore	1116 Robert E. Lee Rd.	
Carma Beaulieu	1102 Bluebonnet Ln.	
BILL FITZGERALD	2201 SPRING CREEK	

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September 27, 2012

Re: Case Number: C14-2012-0109




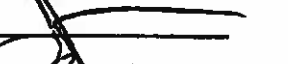







Address of Rezoning Request: 1201 Robert E. Lee Road

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Petition Contact Person - Jeannie DeFrese (512) 431-8016

<u>Name</u>	<u>Address</u>	<u>Signature</u>
Chris Dammert	2203 Spring Creek Dr.	
Vanessa Verzuendoort	2203 Spring Creek Dr.	
Steven Aichlmayer	1303 Robert E Lee #14	
Jay Oberman	1303 Robert E Lee #1	
Angela Charman	1303 Robert E Lee #1	
RUSSELL SECKER	" #12	
JONATHAN OSBORNE	1303 Robert E Lee #6	
BRIGETTE OSBORNE	1303 ROBERT E LEE #6	
RAYMOND LOWE	2200A SPRING CREEK DR	
TANYA LOWE	2200 A SPRING CREEK DR.	
Mallory B. Pandle	1304-A Robert E. Lee Rd.	

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September 27, 2012
Re: Case Number: C14-2012-0109
Address of Rezoning Request: 1201 Robert E. Lee Road

Austin City Council Members,

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<u>Name</u>	<u>Address</u>	<u>Signature</u>
Barbara Gail Sanders	1113 Robert E. Lee Austin, Tx	Barbara Gail Sanders
John T. Sanders IV	1113 Robert E. Lee Austin Tx	John T. Sanders
Evelyn H. Piery	1113 Robert E. Lee Austin Tx	Evelyn Piery
Karen E Krog	2007 Dexter Austin, TX	Karen Krog
John G. Houghton	2007 DEXTER, AUSTIN, TX	John G. Houghton
Donna R. Ramsey	1116 Bluebonnet Austin TX	Donna Ramsey
Beth Baebel	1105 Robert E. Lee Rd	Beth Baebel
Bill Baebel	1105 Robert E. Lee Rd	Bill Baebel

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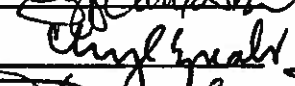
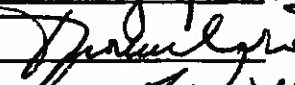

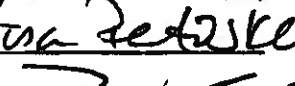
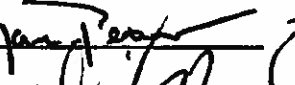
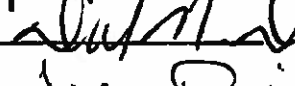
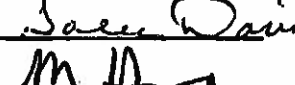

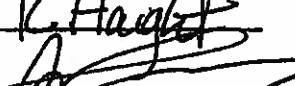


Page

Re: Case Number: C14-2012-0109

We, the undersigned owners of property affected by the requested zoning change described in the referenced file, do hereby protest against any change of the Land Development Code which would zone the property to any classification other than SF-3.

We do not see an upzoning to SF-6 as an appropriate use of the property. A main reason we bought our homes in this immediate area was because of the low density single family zoning of the adjacent properties. We do not want the increase in density that a Condominium Residence district will allow, nor the damages to our properties because of change in the zoning including, but not limited to diminished privacy and light and noise pollution. With a denser development, the resulting loss of green space, tree and plant loss, increased runoff in the adjacent creek/ drainage, loss of habitat, and increased traffic are not acceptable to us as neighbors.

Petition Contact Person - Jeannie DeFreese (512)431-8016

<u>Name</u>	<u>Address</u>	<u>Signature</u>
C JEFF CLARKSON	2123 MELRIDGE PL.	
CHERYL V. SPEAKER	2123 Melridge Pl	
THOMAS WIATT	2123 MELRIDGE PL	
REINA WIATT	"	
Lisa Petroskey	2131 Melridge Pl	
Mark Petroskey	2131 Melridge Pl	
DAVID M. DAVIS	2133 Melridge Place	
SALEE DAVIS	2133 Melridge Place	
Michael Haight	2124 Melridge Place	
Katherine Haight	2124 Melridge Place	
J.P. Maxwell	2121 Melridge Pl	
Ellicity Maxwell	2121 Melridge Pl	

C19
T30

September 27, 2012

Re: Case Number: C14-2012-0109

Address of Rezoning Request: 1201 Robert E. Lee Road

Austin City Council Members,

We, the undersigned owners of property affected by the requested zoning change described in the referenced file, do hereby protest against any change of the Land Development Code which would zone the property to any classification other than SF-3.

We do not see an upzoning to SF-6 as an appropriate use of the property. A main reason we bought our homes in this immediate area was because of the low density single family zoning of the adjacent properties. We do not want the increase in density that a Condominium Residence district will allow, nor the damages to our properties because of change in the zoning including, but not limited to diminished privacy and light and noise pollution. With a denser development, the resulting loss of green space, tree and plant loss, increased runoff in the adjacent creek/ drainage, loss of habitat, and increased traffic are not acceptable to us as neighbors.

Petition Contact Person - Jeannie DeFrese (512) 431-8016


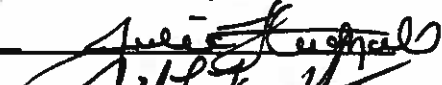
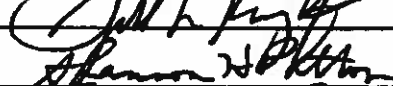

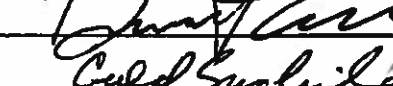
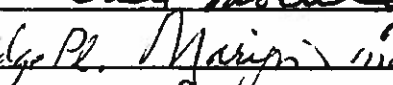
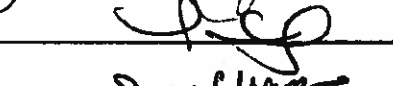
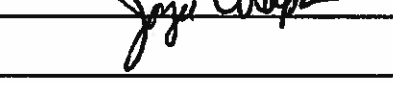


<u>Name</u>	<u>Address</u>	<u>Signature</u>
Thomas Hudnall	2129 Melridge Pl.	
Julie HUDNALL	2129 MELRIDGE PL	
Jill Kempf	2132 Melridge Pl	
Shannon H. Patton	2128 Melridge Place	
R. Michael Patton	2128 Melridge Place	
Daniel P. Carroll	2122 Melridge Pl	
Gerald Smolinchy	2125 Melridge Pl.	
Marilyn Smolinchy	2125 Melridge Pl.	
Isaac Chapin	1104 Robert E Lee	
Joyce Chapin	1104 Robert E Lee	



Exhibit P - 1^{inch}

$$\frac{C19}{132}$$

Address of Rezoning Request: 1201 Robert E. Lee Road

We, the undersigned owners of property affected by the requested zoning change described in the referenced file, do hereby protest against any change of the Land Development Code which would zone the property to any classification other than SF-3.

Petition Contact Person - Jeannie DeFrese - (512)431-8016

[illegible]

C19
133

Address of Rezoning Request: 1201 Robert E. Lee Road

We, the undersigned owners of property affected by the requested zoning change described in the referenced file, do hereby protest against any change of the Land Development Code which would zone the property to any classification other than SF-3.

Petition Contact Person - Jeannie DeFrese - (512)431-8016

[illegible]

C19
134

September 27, 2012
Re: Case Number: C14-2012-0109
Address of Rezoning Request: 1201 Robert E. Lee Road

Austin City Council Members,

We, the undersigned owners of property affected by the requested zoning change described in the referenced file, do hereby protest against any change of the Land Development Code which would zone the property to any classification other than SF-3.

We do not see an upzoning to SF-6 as an appropriate use of the property. A main reason we bought our homes in this immediate area was because of the low density single family zoning of the adjacent properties. We do not want the increase in density that a Condominium Residence district will allow, nor the damages to our properties because of change in the zoning including, but not limited to diminished privacy and light and noise pollution. With a denser development, the resulting loss of green space, tree and plant loss, increased runoff in the adjacent creek/drainage, loss of habitat, and increased traffic are not acceptable to us as neighbors.

Petition Contact Person - Jeannie DeFrese - (512)431-8016


<u>Name</u>	<u>Address</u>	<u>Signature</u>
Jay Thomas	2201 Trail Side	[Signature]
TRACY WISE THOMAS - 2201 TRAILSIDE - [Signature]		
January 28, 2012		

RESOLUTION OF THE ZILKER SKYLINE HOMEOWNERS' ASSOCIATION


C19
135

COME NOW homeowners of the Zilker Skyline Homeowners' Association, and officers, directors, and members of the Association hereby oppose the re-zoning of 1201 Robert E. Lee Road from SF-3 to SF-6 as proposed in Case No. C14-2012-0109. The Zilker Skyline Homeowners' Association opposes the re-zoning for the following reasons:

1. There is not a public need for the re-zoning and it is only a grant of special privilege to the individual owner;
2. The proposed re-zoning will not result in equal treatment for similarly situated properties;
3. The proposed re-zoning does not promote compatibility with the adjacent and nearby use and is, in fact, incompatible;
4. The more intensive zoning falls within an area of neighborhood streets already congested and overused despite efforts at placement of bicycle lanes and various traffic calming devices and is adjacent to important access to Zilker Park, Barton Springs pool and the various and significant uses of Zilker Park; and
5. The request for re-zoning does not arise from any change of condition which warrants such a significant change in density.


Printed Name: Daniel P. Carroll
Office: President

11 October 2012


Printed Name: Salee Davis
Office: Secretary

C19
136

September 27, 2012

Re: Case Number: C14-2012-0109

Address of Rezoning Request: 1201 Robert E. Lee Road

Austin City Council Members,

We, the undersigned owners of property affected by the requested zoning change described in the referenced file, do hereby protest against any change of the Land Development Code which would zone the property to any classification other than SF-3.

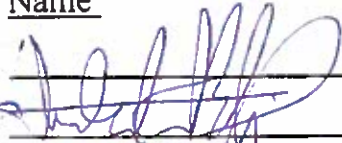
We do not see an upzoning to SF-6 as an appropriate use of the property. A main reason we bought our homes in this immediate area was because of the low density single family zoning of the adjacent properties. We do not want the increase in density that a Condominium Residence district will allow, nor the damages to our properties because of change in the zoning including, but not limited to diminished privacy and light and noise pollution. With a denser development, the resulting loss of green space, tree and plant loss, increased runoff in the adjacent creek/drainage, loss of habitat, and increased traffic are not acceptable to us as neighbors.

Petition Contact Person - Jeannie DeFrese - (512)431-8016

Name

Address

Signature



BT

Donald Blankenship 2132 Melridge Place

Heather Hudson 2126 MELRIDGE PLACE

KEVIN MEEHAN 2126 MELRIDGE PLACE

Ben Smithers 2130 Melridge Place BEN SMITHERS

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From: David Davis

Sent: Tuesday, March 19, 2013 9:51 AM

To: Heckman, Lee

Cc: Jeannie DeFrese; Don & Jill Kempf Blankenship; Lorraine Atherton; David King; Gardner Sumner;; Lisa Petoskey; Kevin M. Meehan; Cheryl Speaker; Salee Davis; Julie; Marilyn & Gerald Smolinsky; Ben Smithers; Mike Patton; Michael Haight; Tom & Reina Wiatt

Subject: Case No. C14-2012-010-9 a/k/a The Sunflower Development, 1201 Robert E. Lee / Zilker Skyline Resolution

Lee: Based on concerns you raised with the authority under the Zilker Skyline Homeowners Association for the President and Secretary to sign on behalf of the Association, we passed the attached Resolution by Unanimous Written Consent opposing the Zoning change based upon the conditions currently in place. While we continue to work with the developer in an effort to reach an agreement, no agreement has been reached to date. We wanted to be sure that there was no doubt or confusion as to our opposition and would request that the attached be included within the City of Austin's file for review by the Planning Commission and, as necessary, the City Council. Thank you very much. David Davis, 2133 Melridge Place, Austin, TX 78704 (512-482-0614)

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**UNANIMOUS WRITTEN CONSENT OF THE
MEMBERS OF THE ZILKER SKYLINE HOMEOWNERS ASSOCIATION**

The undersigned, being all of the members of The Zilker Skyline Homeowners Association, sign this instrument, or a counterpart hereof, in lieu of holding a meeting of the members of the Homeowners Association to evidence our unanimous consent to the resolution set forth below, with the same force and effect as if such resolution was adopted by unanimous vote at a duly called meeting of the members.

RESOLVED, that the Zilker Skyline Homeowners Association hereby opposes the rezoning of 1201 Robert E. Lee Road from SF-3 to SF-6 as proposed in Case No. C14-2012-0109. Zilker Skyline Homeowners Association opposes the rezoning for the following reasons:

1. There is not a public need for the rezoning. It is only a grant of special privilege to the individual owner and developer;
2. The proposed rezoning will not result in equal treatment for similarly situated property;
3. The proposed rezoning does not promote compatibility with the adjacent and nearby use and is, in fact, incompatible;
4. The more intensive zoning falls within an area of neighborhood streets already congested and overused despite efforts and placement of bicycle lanes and various traffic calming devices and is adjacent to important access to Zilker Park, Barton Springs Pool and the various and significant uses of Zilker Park;
5. The request for rezoning does not arise from any change of condition which warrants such a significant change in density;
6. The proposed rezoning will significantly impact the Barton Springs Watershed and ignores the requirements that were imposed on Zilker Skyline for drainage and setback from the adjacent creek, which will increase drainage flow to Zilker Park and the degradation of the south and southeast areas of Zilker Park at Barton Springs to include the future subsurface habitat designated for the Austin Blind Salamander;
7. The more intensive development will make a significant impact on traffic and congestion on Bluebonnet Road/Melridge Place/Robert E. Lee which is already a dangerous and congested two-lane neighborhood road that is a key entrance to both the Barton Hills and Zilker neighborhoods as well as the "back door" entrance to Barton Springs Pool and Zilker Park;
8. Because of the significant variations in topography on the creek side, the construction of the proposed 19 homes will require a significant leveling of the

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property, removal of heritage trees and invasion of the root zones of the remaining trees;

9. The recent approval of a significant increase in multi-family homes in the Zilker neighborhood has already negatively impacted the community's infrastructure causing the overuse of our neighborhood roads, noise and light pollution, and other resources important to our community which, in conjunction with the ever-increasing utilization of Zilker Park and greater density in subdivisions like Sunflower seriously erodes the Zilker neighborhood.

Lisa Petoskey
Signature
President

Lisa Petoskey
Printed Name
2131 Melridge Pl
Address

Kevin McLean, V.P.
Signature
Vice-President

Kevin McLean
Printed Name
2126 Melridge Pl.
Address

Cheryl Speaker
Signature
Treasurer

Cheryl Speaker
Printed Name
2123 Melridge Place
Address

F Maxwell
Signature
Secretary

Felicity M Maxwell
Printed Name
2721 Melridge
Address

David M. Davis
Signature

DAVID M. DAVIS
Printed Name
2133 Melridge Pl, Austin 78704
Address

Ben Smithers
Signature

BEN SMITHERS
Printed Name

2130 MELRIDGE PLACE
Address

Armin Le Bon
Signature

R MICHAEL PATTON
Printed Name

2128 MELRIDGE R.
Address

Donald Blankenship
Signature

Donald Blankenship
Printed Name
2132 Melridge Place
Address

Julie Huonall
Signature

JULIE HUONALL
Printed Name

2129 MELRIDGE PL
Address

Gerald Smolinsky
Signature

Gerald Smolinsky
Printed Name

2125 Melridge Pl.
Address

Tom Wiatt
Signature

TOM WIATT
Printed Name

2127 MELRIDGE PLACE
Address

C19
140

Exhibit P - 22

Michael Haight
Signature

Michael Haight
Printed Name

2124 Melridge Place
Address

Daniel P Carroll
Signature

Daniel P Carroll
Printed Name

2122 Melridge Pl
Address

C19
1/41

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